

AMERICAN HISTORY

COUSINS AND HILL





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AMERICAN HISTORY FOR SCHOOLS

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PREFACE

IN the preparation of this book the constant endeavor has been to hold the student to the proper view point of history and thus promote his progress toward two definite and most important achievements.

(1) The possession of well organized knowledge of the origin and character of the institutions which affect his life is of high value to every citizen. But well organized historical knowledge will not be attained if there is absence of organization in the study; while the spiritual value of the subject may remain undeveloped if organization rests upon a mechanical basis.

If only those who understand our country's history as a development can respond with full and intelligent obedience to society's demand for a citizenship which appreciates the worth and sympathizes with the nature of her institutions, then there is ample justification for following the threads of national thought and feeling which have become the warp and weft of our institutional life; accordingly, we have endeavored to build upon the one fundamental thought of *progress* and thus show the unity of American History.

(2) We have had another, and it seems to us a most important aim: that of leading the student through mental discipline to strengthen his native powers. To this end we have sought to induce him to think and to feel as well as to remember. The educational value of that kind of history teaching which exercises only the memory is exceedingly doubtful. It is too often supposed that the high school student is incapable of interpreting the events of history and that a book which seeks to follow the unity of a people's life in their thought and feeling is too difficult for his use. Yet a student who is capable of understanding Burke's *Conciliation* as a piece of English literature is also able to understand it as a source of historical knowledge and inspiration. The student who exercises in the study of History the degree of intellectual effort that is ordinarily employed in the study of Latin or of Algebra, finds opportunity on every page, and earns reward both abundant and sure. It has, therefore, been our constant aim to provoke thought, and it is hoped that the teacher into whose hands this book shall fall will prevent the student from forming the habit of simply memorizing external facts.

When our students shall be made to feel the uplifting influence of the motives and impulses that have urged the American people to national independence and toward individual freedom, much will have been done to make secure the future of our common country and to guarantee the personal happiness and efficiency of its individual citizens.

We acknowledge with grateful appreciation the assistance of Prof. H. W. Morelock, who so kindly aided us in the preparation of our references, and of Mrs. R. B. Cousins, who has patiently worked out the details of our military life, and who has given many valuable suggestions and helps throughout the entire work.

CANYON, TEXAS,
July, 1913.

THE AUTHORS.

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AMERICAN HISTORY

Part I

INTRODUCTION

CHAPTER I

THE EUROPEAN BACKGROUND

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THE FORCES OF HEREDITY

Since the day in which the discoverer incited the whole world to enterprise, wonderful progress has been made in the arts and in the sciences by the nations that are still European, of whose advancement there seems no end. Yet the distinctively modern man, the man in whom European ancestry and a New World environment have combined to develop self-reliance, and whose self-reliance has developed the sense of freedom and of power, is the American.

In America more than elsewhere, men take hold of new undertakings with self-confidence, drive to the goal with relentless energy, enjoy victory, scorn defeat, and fill their days with accomplishment.

1. The American spirit

Having built institutions singularly free from the influence of servile tradition, the American resents with deepest anger any attempt to curtail his liberties. Sometimes, indeed, he sleeps with the enemy dangerously near, but when once aroused he fights with a vigor and an intelligence in such combination as the Old World does not know. His spirit of free initiative has been so tremendously exercised that the word American has almost become the synonym of radicalism in the vocabulary of nations. And, indeed, the vocabulary is not greatly in error. For after all, the difference between the diverse peoples of Western Europe and their composite descendants in America is a difference more of degree than of quality.

**2. Ancestry
and
character**

The primary factor in the development of the American, in both time and importance, is the people from whom he has sprung. The men and women who first settled in Virginia and New England, as well as many of those who have since come to America, brought with them very small cargoes of perishable goods. But if their material wealth was small, their mental endowment was sufficient, and they were rich in those elements of character which form the basis of free and enlightened government.

In order to understand these people and the impulses which they gave to their descendants, it is necessary to know the European conditions out of which colonial life in America proceeded.

**3. Making a
new man**

In the Middle Ages a new man was being prepared to undertake the enlargement of the known world — both in the physical and in the intellectual sense. Indeed, by the beginning of the fifteenth century this new man had attained his majority and had assumed responsibility for the progress of the world. The discovery of America, and the building of a great civilization upon the new continent, is his most important achievement.

**4. The
three forces:
classic
culture**

The Middle Ages opened with three great constructive forces at work. Greece and Rome had finished the work of giving to mankind their highest conceptions of literature, art, science, philosophy, law, and political organization — the combined

force that is now called classic culture. During the medieval period this force was gradually drawing the barbaric German invaders into the current of civilized life, and was furnishing them new ideals of beauty and organization which they were eventually to use in building anew upon their own ideals and institutions.

Moreover, Christianity had become well established at the opening of this period, and was slowly at work wearing away the severities of paganism and substituting for its gloomy and mystical future reward the promise of love and hope. It held before the ignorant and superstitious barbarian two pictures: on the left, an abode of darkness where there was weeping and gnashing of teeth to all eternity; on the right, a heaven free from all care, all sorrow and labor, supremely beautiful, and overflowing with everlasting happiness.

The third factor at work during the Middle Ages was the Teutonic race. Ignorant, superstitious, and destructive, the Teuton was yet plastic, energetic, and virile. Inferior in past accomplishment, he was strong in possibilities. Having created little, he was nevertheless capable of creating much; for his mind sees no limitations, except to recognize their recession in proportion to his progress. It was the task of the Middle Ages to put him in possession of so much of classic and of Christian culture as would enable him to take hold where the Ancients left off, and carry a long way forward the material, intellectual, and spiritual standards of mankind.

THE MIDDLE AGES

It required a thousand years for these three forces, working together, to produce the new man. And in truth, the outlook was not at all times promising. In the first few centuries of the medieval period, much of the ancient culture was forgotten, and much of its work destroyed, because the barbarian was incapable of appreciating or even understanding it. Art perished, science was corrupted by base and superstitious practices, the Greek language and literature were forgotten,

violence wrought the destruction of property and of life, land and other forms of wealth were concentrated in the hands of the few, public improvement ceased, roads and bridges fell into decay, commerce and industry languished, cities declined, intellectual life became stagnant, and enlightenment seemed about to vanish from the earth. The Church had acquired a majestic importance in the eyes of the people; and both spiritually and intellectually they were its subjects. Society became stratified, education fell exclusively into the hands of the Church, and government was exercised by right of might. The great mass of mankind groped about in ignorance and superstition, accepting as inevitable a life bound in shallows and in chains. George Burton Adams says of the man of the Middle Ages: "He was only a part of a great machine. He acted only through some corporation, the commune, the guild, the order. He had but little self-confidence and very little consciousness of his ability single-handed to do great things or overcome great difficulties. Life was so hard and narrow that he had no sense of the world around him, and, as if this world were not dark enough, the terrors of another world beyond were very near and real. He lived with no sense of the past behind him, and with no conception of the possibilities of the future."

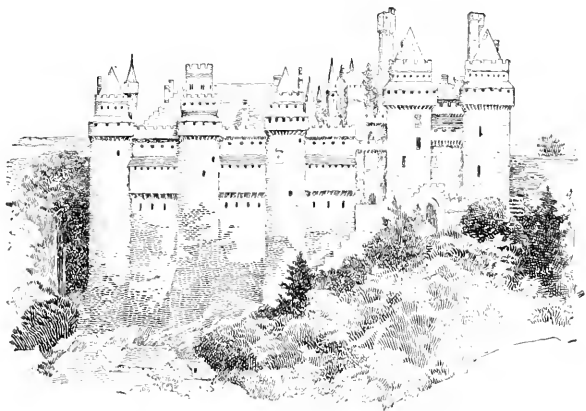
**8. Material
and social
conditions**

It will be remembered that when the barbarians invaded the Roman Empire, life and property became so insecure that it was a common thing for the small landholder to commit himself and his possessions to the protection of a wealthy landlord or an able military chieftain, retaining the right to occupy the land indefinitely, and claiming from his master security from the lawlessness and violence of the time. In turn, he placed his services at the disposal of his chief, and became his man. This custom, together with perhaps other influences, resulted in the formation of two classes of society — the noble and the serf.

**9. The life
of the baron**

It will be remembered, also, that the baron eventually took his stand on some high and inaccessible hilltop, and there erected his castle after the fashion of a fort; that he spent most

of his time in hunting and fighting, while depending upon his serf, both for the cultivation of his lands and for military support against the avaricious and intemperate representative of chivalry whose castle frowned from the neighboring hill; that all this produced a state of continual warfare on the one hand,



A MEDIEVAL CASTLE IN FRANCE

and on the other erected a social organization based upon wealth and military prowess; that the noble lived in luxury and in ceremony at the expense of men lower than he, and in disregard of their interests; and yet that life was not very comfortable even for him. The constant dread of a hostile army, continuous imprisonment, as it were, in a dark and dungeon-like castle, which even the warmth of summer could scarcely penetrate, and which was not built for comfort or convenience; the necessity of wearing cumbrous armor, or shirt of mail, even within his castle, lest he be struck down by some faithless villein — all these things must have rendered even the life of a noble hard, narrow, and ignoble.

As for the serf, his condition was not expected to be happy. His time and his labor belonged to the lord. He must work so many days in the week and fight so many days in the year for his master. On occasion, he must make contribution either in

10. The
life of the
serf

money or in kind to the noble's treasury or entertainment. He must not sell his horse or his cow without the lord's permission. He must grind his corn at the lord's mill and bake his bread at the lord's oven. He lived in a hovel of but one room, thatched with straw, or perchance with turf; his floor was dirt, his chimney was a hole in the roof. He ate black bread, cheese, and, at long intervals, meat, without salt, pepper, tea, coffee, or sugar. He drank beer or cider when he could get it. He wore a single garment, and the same one both day and night. Annual baths were regarded as helpful but not necessary; therefore, it is not surprising that plagues swept away multiplied thousands of the population every few years. Life was necessarily regarded lightly, because it was not worth much under such circumstances. The poor peasant might perchance escape from his lord, but at the risk of being captured by some one else equally exacting, and, if caught, of being hung up by his thumbs or his toes, or confined in a foul dungeon. If such were the material conditions of a vast majority of the people, what should be their intellectual and spiritual manner of life?

**11. The
universal
Christian
Church**

But another class of medieval society, the clergy, was far above the lords in influence and in learning. The Church was the most powerful organization of the Middle Ages, and was the chief security, so far as there was such, against violence and disorder of every kind. Moreover, it controlled whatever political organization there was. William the Conqueror consulted the Pope before his conquest of England; Henry IV stood barefoot in the snow for three days at Canossa waiting for Pope Gregory VII to withdraw his excommunication; Philip Augustus, at the command of the Church, was forced to retain an uncompanionable wife; and King John surrendered England to the Pope and received it back as a fief from Rome. So complete was the dominion of the Church over the political organization that the state often helped the Church to maintain its doctrine, punishing heresy with as much alacrity as did the Church itself.

Furthermore, the Church was extremely wealthy. It re-

ceived large gifts of land, manors, buildings, etc., from rulers and rich men who hoped in this way to make reparation for their sins, or who sincerely wished to serve God in any acceptable way. Then, too, the Church levied the tithe as a means of support, and received valuable contributions through its various ordinances.

The Church alone was the custodian of learning. Books were kept in the monasteries, and hence only Church officials, as a rule, could read. Literature, philosophy, science, and art consequently assumed a religious character. Those who administered such a powerful organization inevitably became a class. The clergy enjoyed many exclusive privileges and were exempt from burdens which the masses of men must bear. Since the Church was the one agent of salvation, men trusted its teachings and feared its power. It should be said, however, in justice to this religious absolutism, that it met well the needs of the time, and performed for succeeding ages an invaluable service. It not only maintained the Christian faith; it also preserved pagan learning.

THE BEGINNING OF THE MODERN AGE

Circumscribed as was his life, and hopeless as seemed his future, the medieval Teuton was ordained to regenerate society. He it was who held in his hand the destiny of civilization. Classic culture and Christianity would gradually raise this man to the level where he could see and appreciate the ideals and institutions of Greece and Rome. Through the processes of amalgamation and absorption he would slowly but surely prepare to utilize all that the world before him had created. The art and science and literature and law of the Greek and Roman world would bring light to his benighted but teachable mind. The softening influences of Christian love and life and hope would gradually wear away the rough edges of pagan superstition and Teutonic barbarism. The plodding German intellect had begun to feel the effects of a thousand years of training in the school of the Almighty.

12. Development of the medieval man

13. The Renaissance

Man at length was beginning to think and was beginning to feel, and as he caught glimpses of the ideals and institutions of Christianity and of classic civilization, he turned his face upward to the light and became restive under the restraint of medieval life. Though still unaware of his own rights and, what was more, of his own powers, he was yet no longer satis-



MONK COPYING MANUSCRIPT

fied either with his material or with his intellectual and spiritual environment. He felt that society, the Church, the feudal lord, the economic and social organizations — something, somewhere, was depriving him of what by right was his. Self-confidence began to take the place of cringing servitude. The beauties of the world

were opening unto him. He found new joy in living and looking upon his past; he knew that he was growing. His interest in new problems and his consciousness of his right to deal with them increased from day to day. The individual had begun to come into control of self. Enlightenment was taking the place of ignorance, and freedom the place of bondage. Superstition and custom were being defied, and reason challenged the institutions of society. Men dared to undertake things single-handed in every field of human interest.

14. The revival of literature

Perhaps the change of attitude toward life is first noticeable in language and literature. Latin had been the literary language of the Middle Ages, but in the twelfth, thirteenth, and fourteenth centuries, vernacular tongues began to take new dignity,

as is seen in the songs of the French troubadours and the German minnesingers. The poets of Spain sang of the *Cid*; Chaucer wrote his *Canterbury Tales*; Wyckliffe translated the *Bible* into English; and Dante composed the *Divine Comedy* in Italian. The movement reached its climax in England in the sixteenth and seventeenth centuries when Shakespeare com-



PRINTING IN THE FIFTEENTH CENTURY

posed his immortal dramas and Milton his sublime *Paradise Lost*. This building up of new languages and literatures was the result of the desire to express the new thoughts and feelings which were beginning to surge in men's breasts. At the same time they furnished a convenient weapon for use against fossilized authority; new forms of thought must clothe themselves in new forms of expression, and the Latin language was too inflexible to meet the emergency. Indeed, these new languages contributed reflexively to the development and propagation of the impulses and thoughts that had brought them into existence.

Art likewise reveals the presence of the free spirit. Medieval art had been stiff and imitative, expressing eloquently but monotonously the characteristic medieval habit of depending

15. The
revival of
art

upon authority, and the lack of confidence which every man must have felt in his own ability to do original work. Formalism and dogmatism had given direction to the painter's brush and to the sculptor's chisel as well as to the scholar's philosophy and to the monk's religion. In fact, medieval art, no less than medieval science and medieval schools, had existed for the sake of religion, and, therefore, had received its character from that religion. On the other hand, the Renaissance art is overflowing with the spirit of liberty. The artists feel the bracing influence of a consciousness of power and of an appreciation of the beauties and joys of life. Freedom is breathed from the folds of their draperies and beams from the countenances of their Madonnas. We feel its magic influence whether we gaze upon the Holy Family of Del Sarto or upon the Sistine Madonna of Raphael. Everywhere there is evidence of a breach with authority and a return to nature as the source of life and the fountain of inspiration.

**16. Religion;
education**

In religion, and in education also, the presence of an awakened intelligence is everywhere apparent. As in the cases of literature and art, the movement here began in Italy. The resurgent mind first asserted itself in the desire to find the original sources of the world's stock of knowledge. Men began to feel the insufficiency of authority and the injustice and inconsistency in ecclesiastical organization and doctrine. They turned to the documents of classic and Apostolic literature both for an explanation of their own institutions and for an understanding of their relation to things eternal. Their admiration for the philosophy of Plato and the polished rhetoric of Cicero developed into a passion, while their eagerness for the spirit of primitive Christianity led them to doubt, in some instances, the infallibility and the spiritual efficacy of the Church. The application of the spirit of free criticism to the abuses of the Church bore its legitimate fruits in the Protestant Revolution, and thus brought about the establishment of new churches and the invitation to men to choose their ecclesiastical relations.

In politics the results of this movement were slower in ex-

pressing themselves than in other fields of activity. And yet it is no small evidence of a changed attitude in the mind of Europe that nationalities begin to take permanent form in the latter part of the fifteenth century. England becomes unified under the Tudor monarchs. The feudal lords of France gradually give way in large measure to the Capetian kings, and Spain attains nationality through the expulsion of the Moors and the union of Castile and Aragon in the marriage of Ferdinand and Isabella.

Much of the time and energy of medieval science had been consumed in efforts to transmute the baser metals into gold, to discover the philosopher's stone, to find the elixir of life, or to read one's fortune in the stars. Under the impulse of the new intellectual movement, and directly expressive of its nature, Copernicus further revolutionized the thinking of the day by proving that the sun, and not the earth, is the center of our universe. Galileo (1564-1642) invented the telescope and established the Copernican theory. The scientific spirit, essentially the spirit of freedom, had at last entered upon the conquest of truth.

The crusades had given a strong impetus to trade and commerce. The West became eager for the luxuries of the East; trade routes were opened, and trade centers were established as a result. The rich cities of Italy and of the Levant sprang into existence, endowed with remarkable vigor and greatly devoted to liberty. The traders from East and West met and mingled in the markets and on the streets, and gained from one another many helpful ideas. Travel intensified men's interest in the world and developed a broader outlook upon life. Strange civilizations were drawn into the current of human interest, and curiosity about distant peoples and newly found lands began to express itself in a variety of forms. Inevitably there followed the desire to know. Practical inventions were beginning to arouse and to answer the spirit of inquiry. The compass had already come to guide the mariner in his search for new routes to the treasures of the East. Gunpowder came

17. Gov-
ernment;
nations;
science

18. Com-
merce;
invention

into effective use in the first part of the sixteenth century and powerfully aided in the destruction of feudalism, thus contributing to the idea of equality among men, irrespective of rank. Printing became general just as the revival of classic literature was at its height, and just in time to spread broadcast the results of new activities. Books multiplied many fold, and the number of those who used them much more. Learning could no longer be monopolized. Europe was astir with the breath of progress. The light of reason began to fall upon the time-worn institutions of society and they in turn began to totter. The spirit of criticism was doing its work and mankind was breaking the shackles of medieval bondage. Man awoke from his centuries of slumber, refreshed and strengthened, because in that long interval the assimilative processes had brought to him new elements of light and life. He now pushed out into unknown worlds and returned with fresher knowledge, broader outlook, and brighter hope. Christianity, with its spirit of exact justice demanding equal rights to all and special privilege to none, and classic culture, with its love for beauty and its veneration for law, had become bone and sinew to the old Germanic invaders. They accordingly rose in their strength, seized hold where the Greeks and Romans had left off, and began afresh the conquest of the world and the discovery of truth. It was in the full tide of this movement that the Western World was discovered. The breath of liberty brought America into life, and by it she has been nourished until this good hour.

THE ANGLO-SAXONS

**19. The
self-reliant
English**

England was geographically remote from the influences of classic culture, and hence was slow in coming into contact with it. Although she did not avail herself of the ancient achievements as early as did some other nations, she was better prepared to utilize them when she did find them. She had developed more completely than the rest her own racial and national ideals. Through her isolation and her longer years of experience she had achieved more of her own strength.

Under the guidance largely of her own instincts, she had developed the most resourceful, the most independent, and the most self-reliant people in the world. When she at length turned her attention to the exploration and settlement of the New World, she directed her enterprises with greater intelligence, and sent to the far distant wilderness the most progressive and the most enlightened colonists to be found in Europe. The spirit of the Renaissance, then, working through the best endowed people of the Old World, would give rise to a nation sprung from the developing peoples of Western Europe, and planted in a new, a strange, and a stimulating environment.

SUMMARY

American history had its beginnings in European life. The roots of American national character and institutions, therefore, are to be found in European soil. As Europe emerges from the Middle Ages man enters upon a wonderful conquest of the world and of the whole realm of truth. In literature, in science, in religion, in government, in everything that engages the thoughts of men, the spirit of regeneration is plainly at work. Poets, painters, inventors, scientists, statesmen, sailors, merchants, religionists, all vie with each other in the accomplishment of new things. The air tingles with change and stimulates progress. England is best prepared to profit by the new conditions and in the end makes greatest use of them. The Anglo-Saxons, thrifty and strong, become the progenitors of the American people and transmit to them the spirit of revived Europe enriched by the native ideals of the most capable race of the Old World. Is it any wonder that America should be called "the land of the free and the home of the brave"?

REVIEW QUESTIONS

1. What reason may be given for beginning American History with a chapter on European conditions at the opening?
2. What is your conception of the man of the Middle Ages?
3. What elements of modern civilization are found in the medieval period?
4. What essential process was going on during this period?
5. Why did not the Teutons who invaded the Empire immediately continue the work which the Ancients had begun?
6. What are some of the earliest evidences of a change from medieval conditions?
7. Describe the change that took place in art, in literature, in science, in invention, in government, in religion, in education.
8. What are all these changes taken together called?
9. Distinguish between the Renaissance and the Revival of Learning.
10. Do you see any resemblance between the spirit of the Renaissance man and the spirit of the present day American?

CHAPTER II

THE NEW WORLD

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PHYSIOGRAPHIC CONDITIONS

20. The hardships of the first settlers

A few people of Western Europe came to the continent of America when it was an unbroken wilderness and sought to make their homes where the necessities of life were most easily obtained. On one side, was the danger of perishing at the hand of the savage; on the other, the danger of death through lack of food; and they built their cabins and cleared their fields with an eye single to the protection and prolongation of life. Their personal modes of living, their collective pursuits, their very habits, were ordered along the lines of least resistance. The solitary huntsman must make his single shot effective; the groups of fishermen must mend a net common to all and cast it, with prayers for success, where it would least easily be injured and where the prey that they were seeking was most abundant.

In this day of complicated and effective machinery driven by steam and electricity, of steamship lines and railways, when manufactured goods fill every crossroads store and city mart with an abundance of commodities necessary for food and clothing, brought from places long distances away, it is difficult to realize the full force of the truth that every colony was

compelled either to produce what it consumed, or to starve. If there was no food in the colony, the colonists suffered, although there was food in wasteful plenty within a hundred miles. It would require a long time to cross and recross mountains and pass swamps without roads. The building of bridges and the tunneling of mountains in the construction of great railroads are so common as to blind one to the extreme difficulties of the pioneer and early settler as they labored in widely separated groups with tools made on the other side of the ocean.

In the primitive days the results of isolation were mortally quick and sure, and it was not only natural but also very necessary that the settlers should take every advantage which nature offered in order that they might live at all. The life of the pioneer hardened and toughened and helped to develop strength and character and the love — even the necessity — of independence, but it was terrible. The individual suffered, and, though unconsciously, he suffered in order that a strong race might follow.

The factors that nature supplies in the making of nations and in the development of the race are soil and climate. Though it is true that the beginnings of civilization were in Egypt in the Eastern, and in Peru in the Western World, each a land under the tropical sun, it seems equally true that to produce the highest civilization a temperate climate is not less necessary than is a generous soil. There must be food from the earth, but that food must come as the reward of industry. It must not fall into the lap of idleness, for the idle will never advance. It must be a sure return for effort, for without a degree of certainty effort will cease. The extremes of heat and cold discourage the highest prolonged endeavor. The savage of the Caribbean islands is little below the Eskimo; if either had made any advance in untold centuries, he was still far behind races of other climates. The frozen region is fatal to bodily vigor through sheer lack of productiveness, and the torrid zone is fatal to mental energy through lack of incentive to effort. So,

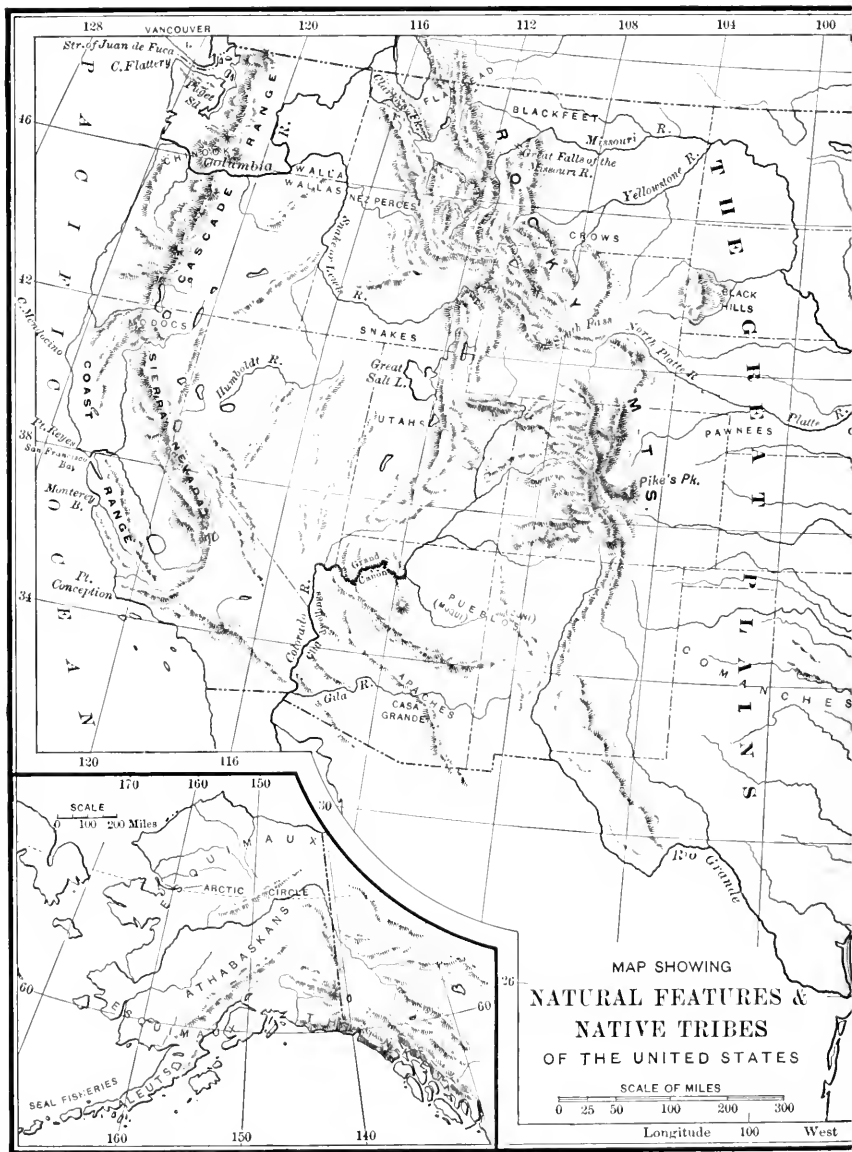
**21. Effect
of soil and
climate**

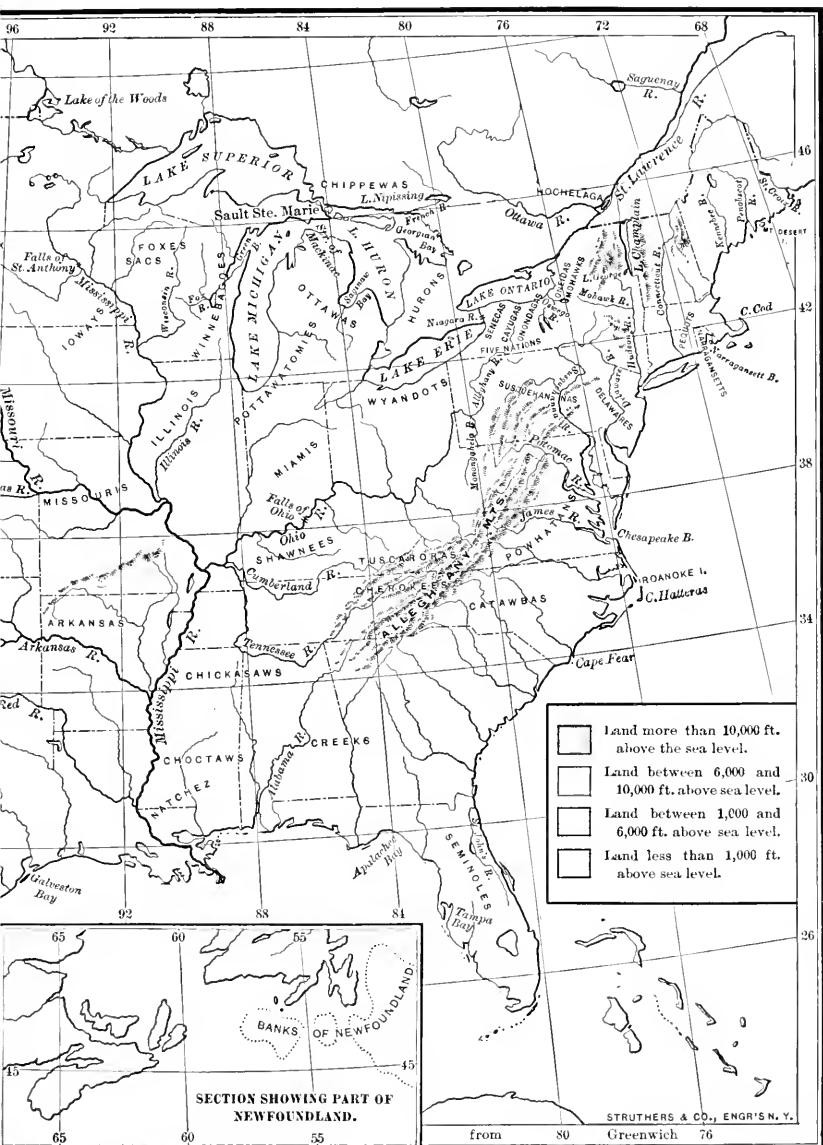
as a rule, the peoples that have made great impression upon the history of the world have had their homes in the temperate zone. Such civilization as that of Egypt or that of Peru inevitably passes away when it comes into contact with a higher form of progress.

The descendants of the English colonists in America, and of the Dutch, and of the Swedes, are fortunate: their forefathers came from lands where thrift was a necessity to a land where industry was sure to be rewarded. Our forefathers found on the Atlantic coast a climate that would neither enervate nor benumb their energies, and a soil that would respond to intelligent labor.

**22. The
school of
experience**

There were many things that the early settlers had to learn through actual contact. In the first place, they had come to an unknown shore. The little exploration that had been made of the coast was uncharted for the most part, and when a chart could be had it was unreliable. As to the interior, no one knew anything; scientists continued to argue into existence a passage through the continent to the South sea, but the explorers never could find it. Except on the rivers, fifty miles from the coast was unknown land abounding in unknown beasts, reptiles, and savages. Before the discovery, no white man had ever seen a common turkey, or a buffalo, or had eaten a potato, or an ear of corn, or a tomato. How many still more marvelous beasts and wonderful fruits might exist, who could know? And as to scientific conditions more recently made known to the world, how could the poor pioneer even dream of such? It was impossible for him to know that there existed a Gulf stream and an Arctic current; consequently he was utterly ignorant of the effect of these currents upon the climates of England and of the New World. Nor could he know as yet that there are greater extremes of heat and cold at a given place on this continent than at the place from which he had come. It was necessary for him to learn, and he learned at the cost of suffering and of repeated failure. But learning enables one to learn.





The colonists made their settlements in what is now called the Atlantic coastal plain, which stretches from Canada to the southern part of Florida, and varies in width from two hundred to four hundred miles. Its western boundary is a mountain system that extends from Labrador, subsides at the Gulf of Newfoundland, rises again into the Appalachians, and then sinks into foothills and lowland about four hundred miles from the Gulf of Mexico. The mountains at the west are from 1000 to 6000 feet in height and are broken into passes at considerable distances apart by the Hudson, Potomac, and other rivers.

23. The Atlantic seaboard

The settlers of the region which John Smith named New England found a high, rolling country of hills and valleys. It is one of the oldest sections of the continent, and is traversed by valleys and short, swift rivers, many of which have numerous falls. The surface is rough, and the coarse soil, not well adapted to the cultivation of grain, is more suited to the growth of trees. The climate invigorates, although the winters are long. These conditions, while limiting the possibilities of agriculture to small farmers, make manufacturing possible and preferable. The rivers furnish the power, and the climate makes indoor labor necessary and profitable. New England, with no natural open way to the west, developed mightily through her rivers and her coast. Urged by no great incentives to cultivate the soil, the people engaged largely in the crafts of the sea — the fisheries and traffic; and they collected in towns and cities. These facts contributed largely to the making of New England's later history; they conditioned her commerce, her social affairs, her politics, and her government.

24. Physical New England

The mouths of the Hudson and confluent waters afforded to the early mariner a safe and restful harbor after his long and perilous voyage. The islands and the mainland offered fertile soil for such crops as the settlers wished to cultivate. The river gave open passage through the Appalachian mountains into the rich farm lands above. The Hudson and Mohawk rivers make the natural road to the sea from one of the most productive countries on the continent. It is said that nine-

25. The Hudson River section

tenths of the wealth of the empire state lies along these two rivers. When the Erie canal was built the destiny of New York city was assured. Before that was done Philadelphia and Boston rivaled her in trade, but she soon distanced them when her waterway was completed to the great granary behind the mountains. Geography has made New York the commercial emporium of the Western World as surely as it has made the Mississippi valley the great agricultural empire of the future.

**26. Virginia
and
southward**

Farther to the south the climate is genial. The summers are longer, the winters are milder, while moisture and soil make the country a great farming and fruit-growing section. From Virginia southward the mountains recede from the coast, and the landscape is varied, although the lowlands broaden until the mountains are entirely forgotten. There is abundant rainfall, and it is well distributed throughout the seasons. Rivers large and small provide ways for the transportation of farm products to the cities of the coast. These conditions invited the man from rural England, and it was here that the Cavaliers established their larger estates, in this country of natural highways. Indian corn, tobacco, and vegetables grew almost without cultivation, and the early settler found it easy to harvest a bountiful supply of food. The South, therefore, invited to rural life and made this the marked feature in the development of her institutions. New England became urban in thought, in habits of life, and in government. While conditions in the South naturally developed a county form of government in contrast with the town government of New England, New York and the other Middle colonies partook of the nature of both the South and New England. Nothing in these divergences and in these conformities was accidental. Events of history follow the law of cause and effect with no less certainty than do phenomena in nature. Men and races of men may react differently upon their environment, but all men move according to the general law as naturally as birds migrate in proper seasons, for the law is progress in accordance with the totality of conditions.

THE NATIVES OF NORTH AMERICA

Ethnologists now agree that all Indians of North America, except the Eskimo, were of one race who, by means of similar arrowheads, implements of war, and a rude form of art, are identified with the cavemen of early England and France. 27. Prob-
able unity
of the race

Before the days of civilization savage tribes contended with one another for the mastery and possession of Northern Europe and Asia, and it now seems probable that a group of tribes, forming a division of these savages, driven across Bering strait, or across the Atlantic by the way of Iceland and Greenland, found lodgment somewhere on the Western Continent, and became what we have regarded as the aborigines of America.

There was not so great a difference between the Aztec and the savage Indian of the Northwest, a nomad and an eater of roots, as there is between the German of today and the barbarous German who overcame the Roman Empire. But a difference in civilization does not prove a difference in race. As in any race which is not brought into contact with a higher civilization, so the development of the Indians was necessarily slow. Lacking beasts of burden, or of draft, they could not reach the agricultural stage into which all civilization passes, and, since they could be acted upon by no outside influence, it is very probable that their development had come to a halt before the discovery. The development of the Indians through the ascending stages would indicate a slow but natural evolution of similar characteristics under somewhat different conditions.



PUEBLO INDIAN POTTERY

The usual division of the Indian race at the coming of the white man is into three classes — savage, barbarous, and semi-civilized. Mr. Morgan in his *Ancient Society* gives the following simple rules for distinguishing the stages: The making of 28. The
three stages

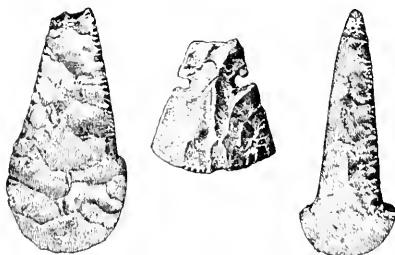
pottery marks the rise from savage to barbarous; the change from barbarism to civilization is marked by the smelting of iron and the use of an alphabet, while progress from the lower to the higher state of barbarism is indicated by the improvement of stone tools, the use of copper, and the making of coarse cloth. Measured by such standards, the Indians of Arizona, New Mexico, and Peru cannot be classed above the higher stage of barbarism, while those east of the Rocky Mountains and between Hudson Bay and the Gulf of Mexico were in the lower stage of barbarism, and those west of the Rocky Mountains and southwest of Hudson Bay were savages.

29. The savages

The Indians that lived along the northern coast of the Pacific at the time of the discovery of America should be classed in the middle stage of savagery. They lived on roots, fish, and the products of the chase. The tribes of the South had begun to raise corn and other vegetables. They wove baskets and made rude ornaments and lived in holes and caves and in tents of rudest structure made of bark and hides.

30. The barbarians

The barbarous Indians of the eastern part of North America varied in cleverness. They made pottery from clay and tools

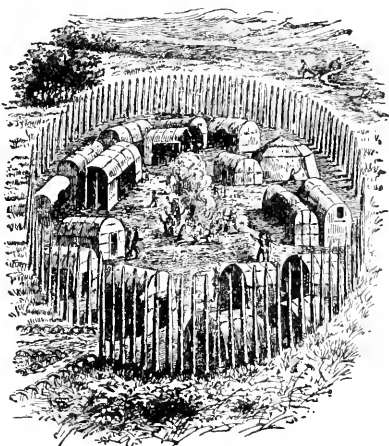


FLINT SPADES AND A HOE

from stone. Among the lake tribes living in the Ohio valley many implements made of copper, and ornaments of shells, mica, and pearl have been found in the mounds, all of which were evidently built by the same races. They made rude

implements or frames upon which they wove a coarse cloth. They depended principally upon hunting and fishing, but cultivated a few vegetables, a little tobacco, and especially corn, which played an important part in the life of the Indians as well as that of the settlers. It was easy to cultivate and did not require immediate harvesting when matured.

Their religion never passed the stage of witchcraft and the medicine man. Their language contained no words that conveyed the meaning of repentance and faith, hence they could not understand the teaching of the early missionaries. Their intelligence was shown particularly in oratory, in stratagem in war, and in the judicious and safe location of villages. Later the towns of the whites were in many cases built on the sites of these villages. Their lodges were made of a framework of poles covered with bark, straw, or earth, the choice of these materials depending upon convenience.



INDIAN VILLAGE

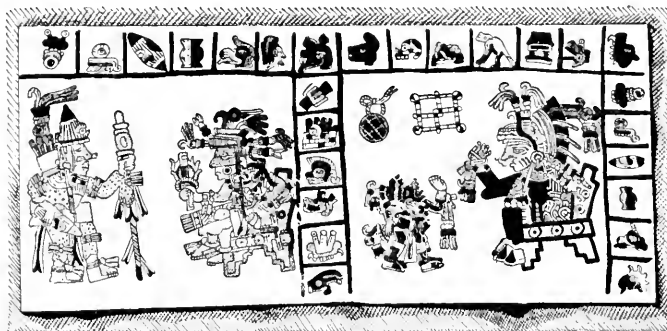
Village of Pomciok, on Albemarle sound,
in 1585

There was little commercial intercourse between the tribes, wampum being their only medium of exchange; but after the coming of the white man the Indians carried on an extensive barter with the colonists at the different tradingposts.

Advancement toward civilization showed itself in weaving, agriculture, and house structure. Doubtless necessity was the cause of this greater development, since the semi-civilized tribes lived in the arid sections of the Cordilleras, where there were no fur-bearing animals to furnish the Indians clothing, and to protect themselves from the cold they were forced to weave cloth of cotton, fibre of bark, and feathers. In Arizona and New Mexico timber was scarce and inaccessible. The rapidity with which clay is dried by the sun pointed the way to the adobe house. The necessity for irrigation tended to promote experiment in agriculture; their patches of corn or of

31. The
semi-
civilized
Indians

potatoes became fields whose greater area taught them the value of slaves. At the time of the Spanish conquest of Mexico cannibalism was confined to the victims offered in sacrifice to the gods, and the medicine man had given place to an organized priesthood. A comprehensive method of picture-writing had been devised, and their deeds in war and other important events were being recorded on a paper made of maguey, from which plant a sour beer, called pulque, also was made.



PAGE OF AN AZTEC BOOK

According to the Spaniards, the city of Mexico contained "pleasure gardens, menageries and aviaries, fountains and baths, tessellated marble floors, finely wrought pottery, exquisite feather work, brilliant mats and tapestries, silver goblets, dainty spires burning in golden censers, varieties of highly seasoned dishes (tamales and tortillas), dramatic performances, jugglers and acrobats, ballad singers and dancing girls. Such things were seen in this city of snake-worshiping cannibals."¹

Archeologists believe that this statement, taken from Spanish reports, is overdrawn. Nothing is unearthed in the ruins to indicate better tools than those of flint or obsidian.

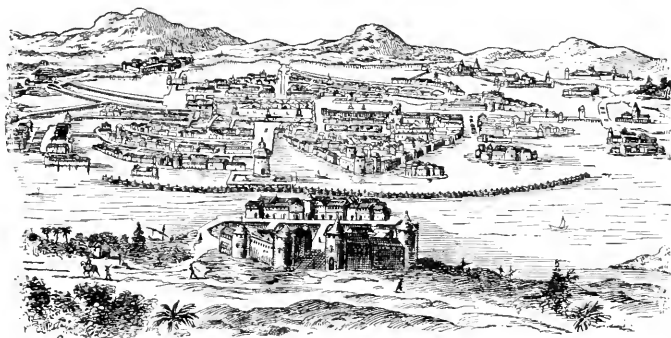
32. Civil development

The civilization of a race passes through the matriarchal stage, during which property is inherited through the mother, and to her belong the children. The adoption of the patriar-

¹ Fiske, *Discovery of America*.

chal form was the first step toward breaking down the clan government and the dawning of citizenship.

Among the savage tribes of the Pacific coast there was some indication that the family existed, and all government was through loosely organized clans, but there was no evidence of any confederation of clans or of fixed habitations.



THE CITY OF MEXICO IN THE SIXTEENTH CENTURY

From the engraving in the *Nieuwe Wereld* of Montanus

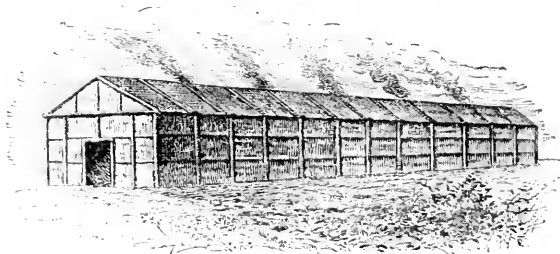
Building on the artless clan of the savage, the barbarous Indian had developed an organized matriarchal clan government with a loose confederacy of tribes. "A group of clans constituted a phratry, or brotherhood, and a group of phratries, a tribe," all members of which were related through the mother. The tribe spoke one dialect and it occupied a certain loosely defined territory. The diversity of languages prevented any strict confederation between different tribes.

The most powerful confederacy was that of the Iroquois, the "Long House," as they called it, yet they had no conception of an organized central government. Though the clans elected two general chiefs, who served during good behavior, and fifty sachems to constitute the general council, yet neither council nor chiefs could coerce a clan. Even if a clan or tribe refused to stand by an undisputed agreement of the confederacy there was no way to enforce observance. But for such weakness

33. The
"Long
House"

Pontiac's and King Philip's wars would have been far more disastrous to the whites.

The outgrowth of the confederation system was the communal house owned by a clan, in which they all lived. The land was occupied by the whole tribe, the Indian having no idea of land ownership. Personal property consisted of arrowheads and a few ornaments.



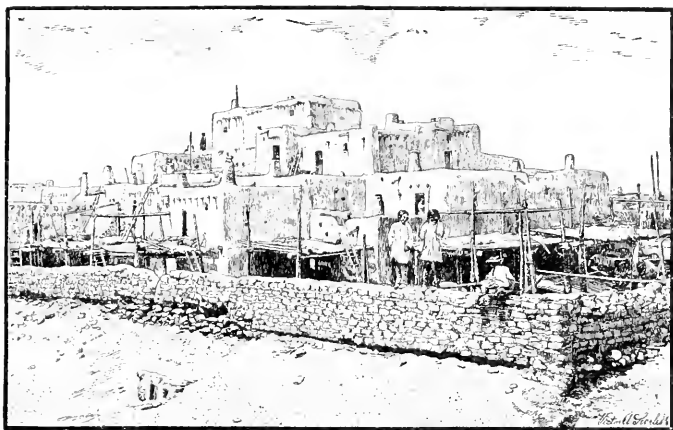
IROQUOIS "LONG HOUSE"

**34. The
Pueblos;
the Aztecs**

The communal "pueblos" of the southwestern tribes would indicate their general form of government to be a development of the Iroquois Long House, but the Aztec confederacy, with its capital in the city of Mexico, was a much stronger organization than the pueblos had. Although consisting of only three tribes, the Aztec confederacy had a complex organization. The clan organization was still in force, but was much inferior to the tribe. The tribal council was supreme and each tribe must obey its commands. The Montezuma was elected by this council and held office during good behavior, and his successor must be chosen from the imperial clan. The confederacy collected a tax from the surrounding pueblos or tribes, but it had no jurisdiction over their affairs. Land was still occupied by the clan in common, though the idea of personal property had enlarged and slaves were owned by individuals. The family had changed to the patriarchal form. Laws respecting marriage and divorce had been made. Each pueblo contained an "estufa," a house used for governmental and religious purposes, where the most barbarous and revolting religious

ceremonies were performed. The sun dance of the Pueblo Indians of Arizona and New Mexico, as well as of the Mandans of the Northwest, has been prohibited by the United States government on account of its barbarous cruelty.

The city of Mexico, surrounded by a lake, the four approaches to which were defended by drawbridges that could be quickly



VIEW OF PUEBLO, TAOS, N. M.

raised or lowered, was described by the early Spaniards as a marvel of civilization, yet the Aztecs had not nearly reached the stage of the Egyptians or of the peoples around the Mediterranean before the building of Rome.

THE BARBAROUS INDIANS

The barbarous Indians of North America, with whom the white man soon or late came into contact, can be divided into **35. The six groups** six groups: the Dakotas, Mandans, Pawnees, Maskoki or Muskogee, Algonkin, and Iroquois. The first three lived west of the Mississippi and had little relation to the earlier settler, though they gave much trouble later. The last three groups were first to welcome the white man and supply him with corn. They retarded the growth of his settlements when they

became convinced that the white man would occupy the land permanently.

36. The
three
eastern
groups

The Algonkins held the land from Hudson bay, along the Atlantic coast in Canada, south to South Carolina, and west to the Mississippi river. This widely scattered family embraced the Powhatans of Virginia; the Mohegans; the Pequots, Narragansetts, and Wampanoags of New England; and many others. It was in their territory that the first settlements were made in Virginia, at Plymouth, and in Canada.

The Iroquois, or "Five Nations" surrounded by the Algonkins, occupied much of New York and extended westward to Lake Huron and northward into Canada. The "Five Tribes" or "Nations" were the Senecas, Cayugas, Oneidas, Mohawks, and Onondagas. A sixth nation belonging to this group but separated from it, comprised the Tuscaroras of North Carolina and the Cherokees of Tennessee. After the white man came these tribes, at least in part, emigrated northward and joined the main body of the Iroquois.

The Maskoki, or Muskogee, groups were found in the Carolinas, in Georgia, and in the Gulf states east of the Mississippi. They comprised the Creeks, the Seminoles, the Choctaws, the Chickasaws, and perhaps other smaller tribes which were being absorbed at the time of the discovery. The Indians fought the encroachments of the Spaniard and Frenchman, and later of the backwoodsman as he pushed his way into Tennessee and the southwest territory.

The population of the three great groups was probably not over 150,000 souls. By far the greater number were scattered along the seacoast, rivers, and lakes. There were a few villages in the interior, but they were on the border of vast hunting grounds where many bloody battles were fought. Constant warfare, great mortality among children, contagious diseases that sometimes depopulated entire villages, and a natural improvidence that led to starvation during the cold winters, caused the Indians to be less numerous than they were supposed to be.

The French soon made friends with the Algonkins of the North, in whose country they traded for furs. The French traders frequently married Indian women and were adopted into the tribes. The French told the Indians they did not desire to hold their lands, and that they built forts only to protect their hunting grounds against the Englishmen. They helped the Indians in their wars, sometimes abetting the most atrocious massacres of the frontier English settlements. The English also traded with the Indians and made them their allies, but never led in their forays, though they encouraged the Iroquois in their continual border wars against the French and Algonkins. This continued warfare reduced the fighting strength of the Indians, so that when war was waged against England they were not so formidable as they had been at an earlier date. The hostility of the Iroquois kept the French out of the Ohio valley, while the Algonkins and Maskokis kept the English confined to the narrow strip of coast east of the Alleghany mountains, thus forcing settlements to be made near together, a condition which proved fortunate to the colonies in enabling them to repel the invasion of the British armies. The wars against the French and Indians unified the colonies, while the necessity for self-protection created a spirit of independence among them. The training the men received in Indian warfare developed a natural strategy unknown to the British generals.

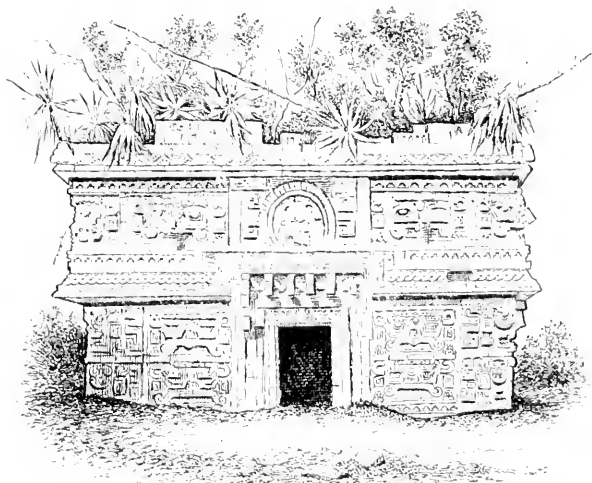
37. Effect
of Indian
wars upon
the colonists

SUMMARY

When the European came to America he lived in a most primitive way, accommodating himself to unmodified nature. He obtained his water supply from spring or brook. The forest and lake furnished his meat. The river was his roadway and a raft of logs was his means of travel. These gifts of nature, ready made, nourished him at first and later gave direction to his enterprises and conditioned his social and civil institutions. His isolation from the mother country developed self-reliance, and danger from the Indian forced upon him the necessity of co-operation. From the Indian, too, he learned helpful lessons in agriculture and gained a knowledge of the country that stood him in good stead at a later day.

REVIEW QUESTIONS

1. Why must each town, county, and country produce as great values as it consumes?
2. How do climate and soil affect prosperity and growth of institutions?
3. Make a list of things peculiar to America that are used for food or clothing.
4. Is there such a thing as a geographical influence in the life of an individual?
5. There are no accidents in history. Illustrate.
6. Give a geographical reason for town government in New England and county government in the South.
7. Can you think of an Indian custom that has left a permanent mark on American life?
8. If the Indians had been as highly civilized as the European settlers who came to this country, would there be any serious difference in the history of America?
9. Have you ever seen any evidences in your community that Indians once inhabited this country?
10. Account for the general failure of attempts to Christianize the Indian.



RUINS OF BUILDING OF SEMI-CIVILIZED INDIANS
CHICKEN ITZA, MEXICO

CHAPTER III

DISCOVERY AND EXPLORATION

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SOURCE BOOK. — Hart, *Contemporaries*.

ILLUSTRATIVE MATERIAL. — Whittier, *Norsemen*; Longfellow, *Sir Humphrey Gilbert*; Wallace, *The Fair God*.

INCENTIVES TO ENTERPRISE

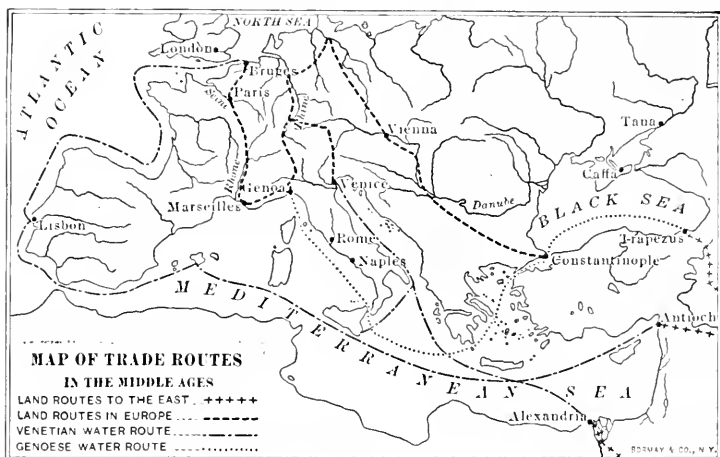
In a previous chapter it has been pointed out that in the period immediately preceding the discovery of America, Europe was undergoing a marvelous intellectual and spiritual transformation that expressed itself in literature, art, religion, science, and eventually in government. It was an age of zealous and determined inquiry, and hence a wonderful age of discovery. It possessed two features which bear a close relation to the discovery of America: one, the expanding commerce already referred to and the consequent desire to reach the East; the other, the increasing interest in geography.

During the four or five centuries preceding the discovery, Europe's commercial interests had widened very rapidly. The crusades, calling Europeans to Egypt and even into the Tigris-Euphrates region, had stimulated interest in travel and commerce and had enlarged the intellectual horizon of the times. In the latter part of the thirteenth century Marco Polo made an extended tour through the far East and brought back a mixture of truth and fiction that filled his hearers with wonder. His fabulous story of the Golden Island (Japan) seemed less marvelous than his facts concerning the products of the Moluccas and Ceylon, which so aroused the interest of the West in the East that permanent trade routes were soon established

38. The Renaissance in relation to America

39. The trade routes

between the two, and there followed a flourishing commerce in the exchange of cloths and manufactured articles for the spices, dyes, gems, perfumes, and other luxurious commodities that brilliant courts, extravagant feudal lords, and a recently enriched merchant class would naturally demand. In those days the fleets of the Italian cities raced with one another for the trade of the Orient, and long caravans lined the various routes from Venice northward over the Alps and overland eastward across

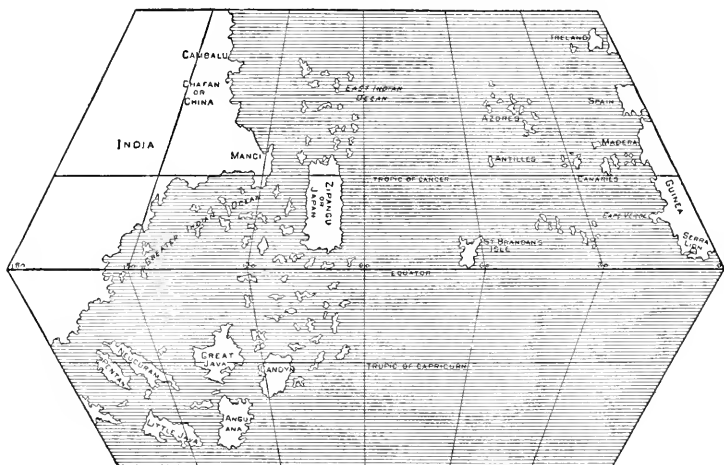


the Hellespont. But in 1453 the Turks captured Constantinople and cut off the trade routes in that region, giving a fatal blow to the Italian cities and changing the whole direction of commerce. Yet the losses of Venice and Genoa proved to be the gains of Cadiz and Lisbon. Europe felt an urgent necessity for a new route to India; under the spur of this necessity she appealed to science, and science responded.

40. Geog-
raphy;
Toscanelli's
map

That the earth is round, many scholars had believed since the days of Aristotle, more than three centuries before Christ. Roman geographers knew of the theory and surmised that "habitable earths" might be found by sailing from Iberia to India by way of the Atlantic ocean. The idea of the rotundity

of the earth was preserved through the Middle Ages, both by the Arab philosophers and by the Christian monks, and had now become the possession of the scholar of the Renaissance. In the latter part of the fifteenth century, along with other increased activities of the period, geographers were at work whose labors prepared the way for Columbus and his contemporaries. Toscanelli, an Italian, in reply to an inquiry from Columbus, sent a long letter (1474) accompanied by a map setting forth his



TOSCANELLI'S MAP, 1474

advice to Columbus about a voyage to India by way of the Atlantic. He believed that Cipango (Japan) occupied, approximately, the region which we know as Mexico. Perhaps he had miscalculated the circumference of the globe, underrating it about twenty-five per cent; or else he had supposed that Asia extended some seven thousand miles farther eastward. Be that as it may, his error was a fortunate one, because Columbus could never have found men or money for a voyage of ten thousand miles, even if he had been willing to undertake it.

Scholars disagree as to the original home of the Caucasian. **41. The sagas of the Northmen** Some place it in North India and call the first of the race

Aryans; others place it in the forests of North Germany and call the first of the race Germans, or Teutons. The advocates of a German origin believe that the early civilization which flourished on the northern coast of the Mediterranean could hardly have sprung from an Eastern people such as produced Lapp and Finn and Eskimo, but, on the contrary, that the light-haired German sent out hosts of conquering emigrants southward thousands of years before history records the deeds of Alaric and Attila.

The race of Northmen spread over Scandinavia, Germany, and other countries southward. In the ninth century they settled Iceland, a land nearer to America than to Europe, and within a hundred years they had found America and had made settlements on the coast of Greenland. Both of these islands still belong to them. From Greenland they made voyages, according to their ancient songs, to a land at the west, sailed southward along its shores, and brought back some of the products of the country.

When the laws of Norway created a state monopoly of water transportation, the Northmen no longer made voyages to America, and what little knowledge of the Western Continent had been obtained seems to have been forgotten until Columbus startled the world with the announcement that only the narrow Atlantic separated the shores of Western Europe from those of eastern Asia.

VOYAGES OF DISCOVERY: THE SPANIARDS

42. Colum-
bus; his
character
and fame

The theories of the size and form of the world were pretty enough in the cloister of the monk and in the study of the geographer, but the practical application of them required a man who combined the genius and the hero. Of the thousands of men who believed in the rotundity of the earth not one before Columbus had the courage of his convictions. He alone formulated a plan, based on science, howsoever imperfect, and wrought it out with long persistence and unequalled fortitude. That he found something more than he had sought serves to

increase rather than to diminish his glory. A conviction that a continent stood in his way would have given his arguments before courts a potency irresistible from the first, and no one would ever have heard of the patient striving for help during long years of denial and discouragement. The possibility of finding a new continent would far outweigh, in the royal balance, the chance of finding a new way to an old one.

After repeated unsuccessful appeals to the kings of England, France, Spain, and Portugal, Columbus finally secured the assistance of Queen Isabella of Spain. Under her favor he fitted out three small vessels, the *Pinta*, the *Niña*, and the *Santa Maria*, and set sail from Palos, August 3, 1492. It was a soul-trying voyage. Driven

constantly westward by an east wind, they were soon upon the trackless deep, and, as the sailors thought, going down hill. How could they hope ever to return? Murmurings among the crew were met with the calm declaration from Columbus that under God's help he would reach the Indies. On Friday, October 12, 1492, they came upon land. The sailors no doubt rejoiced because they could again set foot upon solid earth, but Columbus was stirred with an emotion of a different kind. He had reached, as he thought, India, the land toward which all Europe was now bending its energy. He had put science to test and it had not been found wanting. Hereafter men would approach new undertakings with a different spirit. Columbus's feelings are perhaps best described in his own statement: "I gave the name of San Salvador, in



CHRISTOPHER COLUMBUS

The oldest known picture of Columbus, in the National Library, Madrid

43. The
discovery
of America
— 1492

commemoration of his Divine Majesty who has wonderfully granted all this." The land he had reached was an island of the Bahama group. After taking possession of the new land in the name of Ferdinand and Isabella, he continued his search for the mainland, hoping to find Cathay (China). In this he was disappointed, though he did believe that Cuba might be the long-sought kingdom of the East and that Haiti was Cipango.



After losing the *Pinta* through the desertion of its captain, and the *Santa Maria* in a storm, he returned to Spain in the third vessel and was received with wild acclamations of joy by his fellow countrymen and given royal honors by the king and queen.

44. The ambition of Spain; later voyages of Columbus

The discovery of the new lands was a matter of great importance in the eyes of the rulers of Spain, who had furthered the enterprise of Columbus. They had just brought to its end a war which had conquered the Mohammedan Moors within their borders, and they wished to continue the glory of their reign. To add peoples to their kingdom, to convert the heathen of the Asian islands to Christianity, would be a work well worthy of monarchs who had rescued their own land from

the Infidels. Spain was already well within the front rank of the powerful nations, and nothing must content her until she should leave all others in the rear. Her reluctance in aiding Columbus was a matter of the past; for the future the scope of her maritime enterprises would be equaled only by her munificence in sustaining them. She quickly provided the great admiral with ships, men, and stores necessary for colonizing the new lands. Sailing again, he found many other islands, and in 1502 saw the mainland of America, but returned without landing. Meantime, his first discovery had been the signal for a revolution in the civil and political condition of the world. Moreover, it had greatly stirred the spirit of adventure, so that sailors now boldly plied the sea in every direction.



THE COLUMBUS MONUMENT AT GENOA

Vasco Nunez de Balboa, a Spaniard, came to America in 1510 and settled in Darien. In exploring the country he heard through the natives that there was a great sea at the south, and that far away on its shores there was a land where the people, whose houses were filled with gold, lived like kings. He determined to find that sea and that land, and in 1513, with a few followers, he crossed the mountains and saw the Pacific. He entered the water and, in the name of his sovereign, with great ceremony took possession of it and all lands on its shores.

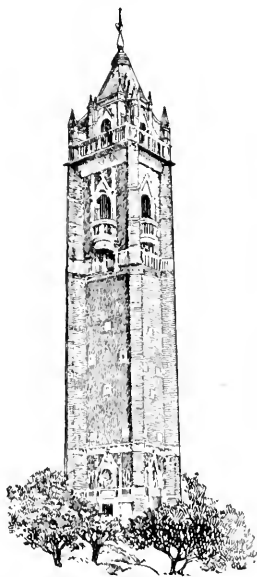
Spain claimed Florida from the visit of Ponce de Leon in 1513. Without accepting the story of his credulity, it is not

45. Discovery of the Pacific ocean

46. Discovery of Florida

difficult to believe that he wished for good health and could not find it in San Domingo. He set up the standard of Spain somewhere near St. Augustine in 1513, and named the land Florida in honor of the day of its discovery, Easter Sunday.

47. The discovery of the North American mainland — 1497



CABOT MEMORIAL TOWER

Erected at Bristol, England, in memory of the first sailor from England to visit America

THE ENGLISH

In 1497 the king of England granted a license to John Cabot to make a voyage of discovery on the condition that he should defray his own expense. All the land was to belong to the crown, which should receive also one-fifth of the profits from the monopoly of trade which Cabot should have. Cabot was an Italian, but was living in England, and he seems to have been a sailor of some experience. In the course of the voyage he reached the mainland of North America, and there is little room for doubt that in the next year he and his son Sebastian sailed along the coast from Nova Scotia to Cape Hatteras. Upon these expeditions England, nearly a hundred years later, set up serious claims to the continent.

THE FRENCH

48. Verrazano; Cartier

In 1524 John Verrazano, an Italian in the service of France, sighted land at Cape Fear and sailed along the coast as far north as Newfoundland. This was the first voyage to America under the protection of France, though for some years previously French fishermen had visited the banks of Newfoundland.

Jacques Cartier, in 1534, ascended the St. Lawrence river; he traded for furs with the Indians, and gave the name Montreal to a certain hill, and called another spot China, possibly think-

ing the rapids were all that prevented his reaching the celestial empire. The French made good their claim to Canada by discovery and they lost it by war.

THE PORTUGUESE

The name Vasco da Gama is associated with early America because of Pedro Cabral. Da Gama was the first to go round the Cape of Good Hope; on his return to Lisbon in 1499, another fleet was fitted out on his recommendation; the fleet

49. Da
Gama;
Cabral;
Vespucius;
Corte-Real



MAP SHOWING JACQUES CARTIER'S VOYAGES

Thus; 1st Voyage — 2d Voyage ---- 3d Voyage —>

sailed under Cabral, and "blown by adverse winds" reached an unknown land on April 24, 1500, where he took formal possession of what is now known as Brazil in the name of the king of Portugal. Possibly the northern coast of Brazil had been previously seen by one of Columbus' companions.

Cabral at once sent a small vessel back to Portugal to announce the discovery, and then continued his voyage to India. When the king learned the news he invited Americus Vespucius to enter his service, and sent him to explore the newly discovered

land. Vespuccius had difficulty at first, but at length succeeded in exploring the coast as far south, according to some, as the Antarctic ocean. Americus Vespuccius, innocently and unintentionally no doubt, gave his name to the whole continent. The name seems to have been intended to designate those lands which Vespuccius had found, and he could hardly have had the knowledge that their magnitude was so great as to include those already discovered by Columbus and his companions.

Another Portuguese discoverer was Gaspar Corte-Real. In the year 1500, endeavoring to find a route to India, he sailed to the North American coast, landed, and named the country Labrador (the land of laborers or slaves) and returned home with a few natives whom he had captured. In the next year he went on a second voyage, but never returned.

In 1502 his brother set out with another ship in search of Gaspar; but neither of them was ever heard of more.

50. The first circumnavigation of the globe

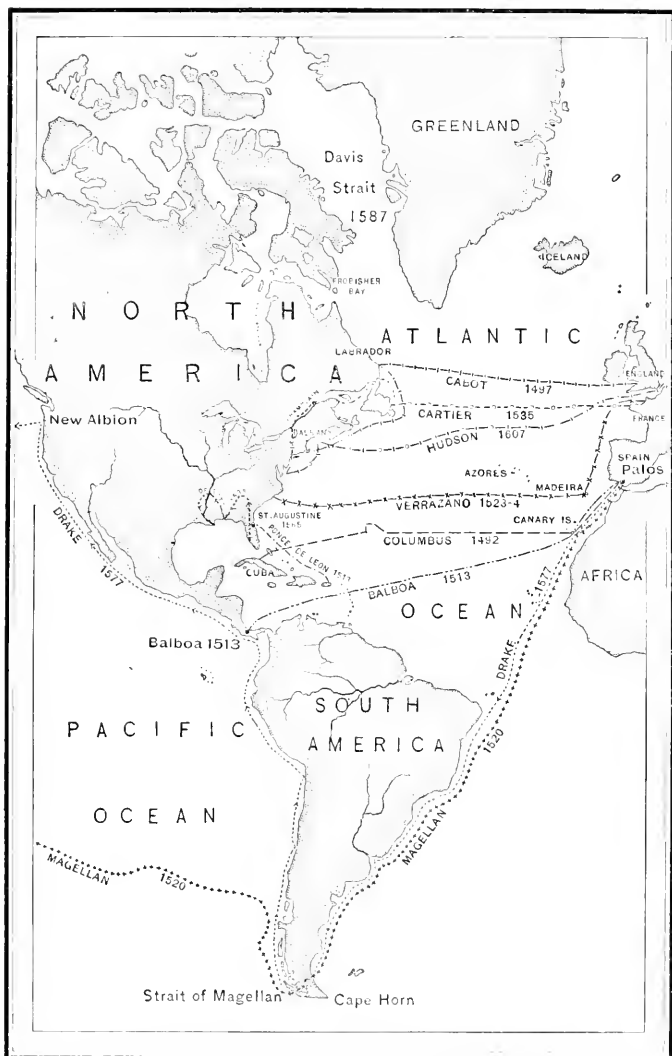
Ferdinand Magellan, a Portuguese navigator, offered his services to Spain in an attempt to find a short way to India. He sailed in September, 1519; he coasted southern Brazil and passed through the Strait of Magellan; he named the Pacific, and crossed it to the Philippines, in 1521, where he fell in an attack upon a native tribe. He had set out with five ships; but one of them returned, with only eighteen survivors, who arrived in Spain by way of the Cape of Good Hope.

EXPLORING THE CONTINENT

51. Cortez; Narvaez; DeVaca; Coronado

Hernando Cortez, with infantry, cavalry, and artillery, landed on the coast of Mexico in March, 1519, and within less than a year had conquered the "empire."

The governor of Cuba sent Panfilo de Narvaez with an armed force to supersede Cortez, but Narvaez was defeated and made prisoner. In 1527 Narvaez received from Spain a grant of a great part of Florida. He landed, with about six hundred men, near Tampa, in 1528, and marched into the interior in the everlasting search for gold. Finding none, and discouraged through hardship, he and his men turned to the coast again



MAP OF EARLY VOYAGES

and built boats in which they attempted to reach Mexico. Many perished in a storm; those who reached land were taken by the natives, and death soon relieved the sufferings of all but four. Of these few survivors, Cabeza de Vaca seems to have been the most vigorous and resourceful. Reduced to slavery among savages, a thousand miles of ocean between them and their friends, they nevertheless reached Mexico. They had passed through southern Texas, crossing rivers and prairies and mountains; they had crossed Chihuahua and Sonora to the Gulf of California; they had walked two thousand miles in the wilderness, and had attained their end in 1536, nine years after they landed in Florida. When they reached Mexico, they were questioned about the country through which they had passed. DeVaca's description and information, obtained by a special message, induced the Spanish authorities to send an expedition into northern Mexico in search of "The Seven Cities," reputed to shine with gold and precious stones. This expedition, under command of Francisco de Coronado, also failed to find gold or cities; but it passed over a great land from which many states have been made. Coronado's expedition gave strength to Spain's claim to Texas, as did that of Narvaez to her claim to Florida and all the Gulf coast.

52. Her-
nando
De Soto

In 1539 another Spanish expedition, six hundred strong, landed on the west coast of Florida. De Soto had been with Pizarro in the conquest of Peru, and his thirst for gold was not yet satisfied. For almost four years these Spaniards advanced or wandered through the great American forest, their numbers constantly diminishing through disease, hardships, and war with the natives. They went through Georgia, Alabama, Tennessee, and possibly Missouri, Arkansas, and Louisiana. They found no gold; but they found the Mississippi, and they learned that America is a wide continent. In 1542 De Soto died, and his body was buried in the Mississippi. His surviving followers built boats and in 1543 reached Mexico.

De Soto gave to Spain a strong claim to almost the whole of the territory now included in the Southern states.

CLAIMS TO AMERICA

By the middle of the sixteenth century Spain claimed all of South America, except Brazil, and was dominant in North America. She claimed Florida, which stretched indefinitely north and west; she had conquered Mexico, which extended from the Gulf to the Pacific, and from the Pacific to Florida,

53. Spain;
France;
England



MAP OF DE SOTO'S ROUTE — 1539-1542

covering all of the western and half of the eastern part of the United States; and she was ready to maintain her claims in war. She had become immensely rich and powerful; even before the discovery, her revenues had begun to increase enormously, and with the slave trade in Indians and negroes, and with her mines in Mexico and Peru, she was far the most powerful among the nations.

The French, at the same time, based claims to parts of the North American coast on the ground of discovery by Verrazano

and Cartier, while England's right to the country because of the Cabots' discovery was lying dormant and unheard of.

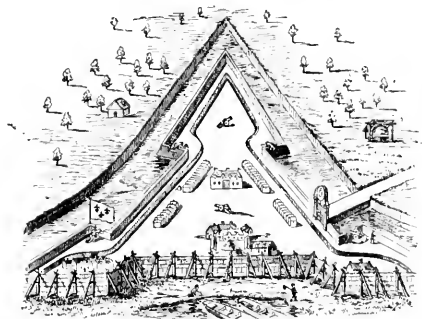
FRENCH EFFORTS AT SETTLEMENT

54. Port
Royal;
St. John's
river

In 1562 John Ribault came out with a small colony of French Protestants, or Huguenots, as they were called, and at Port Royal, on the coast of Carolina, he built a fort; then he left the colony, sailing for France. Utter failure followed; in desperation the thirty colonists repaired an old leaky boat and risked

the Atlantic. They were picked up by an English ship, after horrible sufferings.

The following year Laudonniere came out with other Huguenots and built a fort which they named Fort Caroline, near the mouth of St. Johns river in Florida. They were not seriously wishing to build homes in the new



FORT CAROLINE, THE FRENCH HUGUENOT
SETTLEMENT IN FLORIDA

From De Bry's *Voyages*

land; on the contrary, they were gold seekers, if not worse; yet there were some good men among them, and when Sir John Hawkins came by (56) and offered to take them to England they declined, hoping that Ribault would soon come to their relief. Ribault arrived in August with seven ships and three hundred men; and early in September a Spanish fleet of eleven sail steered past the mouth of the harbor, moving southward.

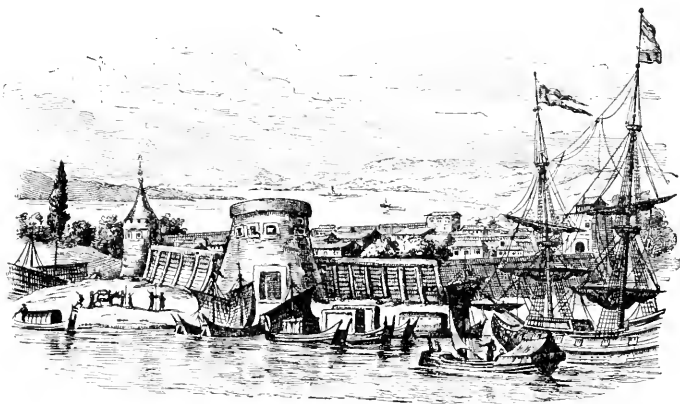
SPANISH EFFORTS AT SETTLEMENT

55. St.
Augustine;
Ysleta;
Santa Fé

The king of Spain had sent out an officer named Menendez to govern Cuba and Florida and convert the heathen. Sailing past the French fort at the mouth of the St. Johns, Menendez

continued his course until he found a pleasant site for his colony; then he landed and began to build St. Augustine, the first permanent European settlement in the territory of the present United States.

France and Spain were not at war with each other, but the Protestants and Catholics were; so Ribault and Laudonniere, seeing the Spanish fleet sail by, knew that they must fight;



ST. AUGUSTINE, FLORIDA, AS FOUNDED BY MENENDEZ

Pagus Hispanorum as given Montanus and Ogilby

they sailed to attack St. Augustine, but a storm wrecked their ships, and the result was that the Spaniards put every Frenchman to the sword; thus perished the French colony at the mouth of the St. Johns river.

Two years later another Frenchman, DeGourgues, led an expedition, at his own cost, against St. Augustine to avenge his murdered countrymen; and although he did not take St. Augustine itself, he captured the outlying forts and hanged all the Spaniards who fell into his hands. No great political complications seemed to follow these religious troubles.

Following Coronado's expedition, the Spanish missionaries succeeded in establishing missions in the Rio Grande valley, one at Ysleta, and another at Santa Fé.

THE ENGLISH ROVERS

56. Haw-
kins; Drake;
defeat of the
Armada

While the Spaniards were monopolizing American trade, filling their treasury with western silver and gold, and driving away the French from Florida, the English were developing their industries, building a powerful monarchy, and preparing to take the commercial leadership of the world. In the meantime, already at work, was the advance agent of her new greatness, the English sea-rover. Sir John Hawkins was an able navigator who attained a high rank in the English service and gained a great reputation in the contest with the Spanish Armada. He was at first engaged in the slave trade, carrying wild negroes from the coast of Guinea to the West Indies, where they were sold to the planters at a great profit. In returning from one of these voyages he touched at the mouth of the St. Johns river (54). Sir Francis Drake served under Hawkins, his kinsman and benefactor in early life. With Hawkins he fought not only Spanish ships, but Spanish towns on the American coast. He sailed north along the Pacific beyond the site of San Francisco, made boldly across the South sea, rounded the Cape of Good Hope, and was knighted by Queen Elizabeth as the first Englishman to circumnavigate the globe. The queen gave him a privateering commission, and he plundered the Spaniards anywhere he could find them, ranging the whole ocean and all its coasts. As to exploration, he did that incidentally; nevertheless, he sailed along the whole west coast of America from Cape Horn to Oregon, and claimed for England what is now California. He, as well as Hawkins, gave valiant support to Elizabeth in her resistance to the attempted invasion by the Spaniards. In the great protracted battle in the Channel, Drake's splendid courage and superb seamanship contributed largely to England's victory, and victory then meant England's future leadership of the nations. From this time Spain, the temporal bulwark of the Catholic faith, declined in power and influence; while her rival, a Protestant country, grew without a seeming hindrance. England now began to

feel her power. She entered upon the period of commercial and colonial development that has made her the great civilizing nation of the world. Her adventurous seamen now explored every coast, while her expanding industries found new markets in hitherto barbarous lands. Her increasing population sought new homes where Cabot had planted her flag, and the successful colonization of America began.

ENGLISH EFFORTS AT SETTLEMENT

One of the most celebrated of the English commanders who took part in the overthrow of the Spanish Armada was Sir Walter Raleigh, a seaman, a soldier, and a statesman. Perhaps it would not be too much to say of him that he was the foremost Englishman of his time. Raleigh was already interested in America; he had fought the Spaniards there, and he had attempted to colonize there. In 1578 Queen Elizabeth gave a patent to Sir Humphrey Gilbert, granting him the authority to discover and possess "heathen lands not actually possessed of any other Christian prince or people." Gilbert disposed of his estate and that of his wife in raising funds for an expedition and then secured the coöperation of Raleigh, his young step-brother. The first voyage brought no results; in 1583 Gilbert sailed again and landed in Newfoundland; but his

57. Failures of settlements; Gilbert; Raleigh; Gosnold; Pring; Weymouth



SIR WALTER RALEIGH AND HIS SON

largest ship was wrecked, and while sailing for England his own ship foundered and all on board were lost.

Raleigh succeeded to Gilbert's work. In 1584 he secured a charter of colonization and sent men to examine the coast. In the next year he sent out colonists, but they became discouraged, and when Sir Francis Drake appeared on the coast they secured passage in his fleet back to England.

In 1587 Raleigh sent out another colony, which landed on Roanoke Island. The colony was under John White, who soon sailed for England, leaving his daughter and granddaughter, little Virginia Dare, the first English child born in America. White, for some reason, did not return to Roanoke for nearly three years, and when he at last arrived on the coast he found that the colony had disappeared. In the bark of a tree had been carved the letters CROATAN. White returned to England without finding any other trace of Raleigh's lost colony.¹

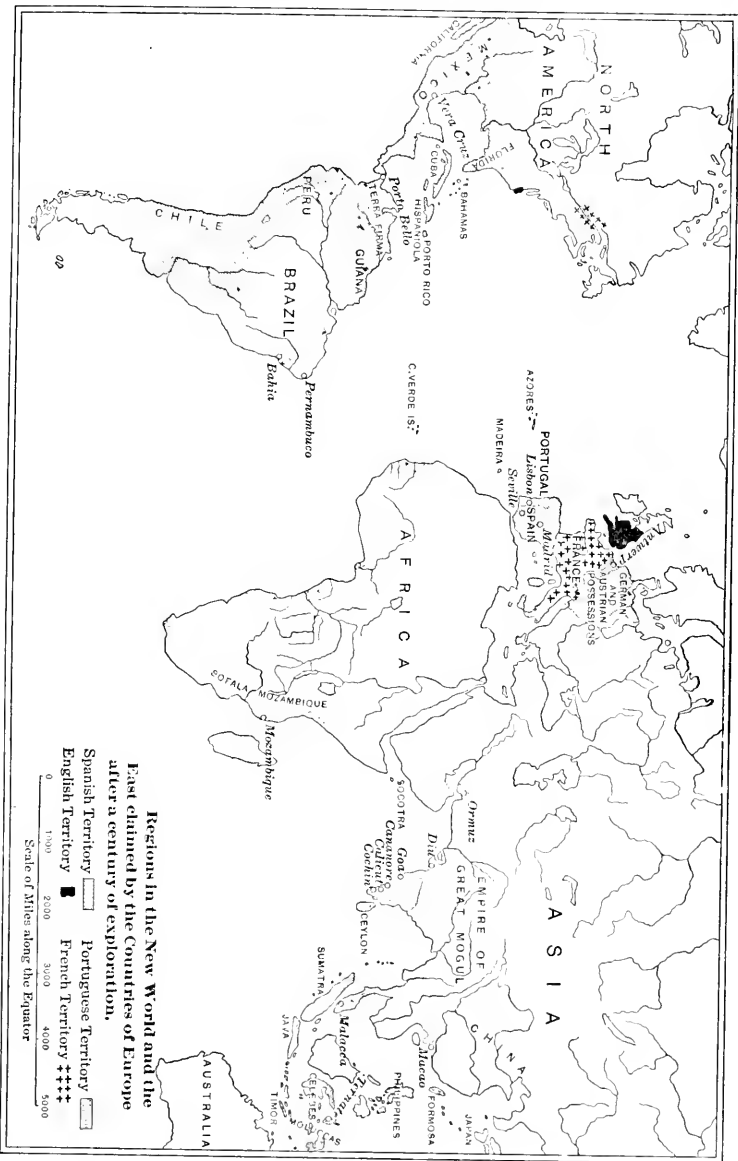
Other unsuccessful efforts to plant colonies were made by Bartholomew Gosnold in 1602, Martin Pring in 1603, and George Weymouth in 1605; colonization proved too great a task for private means; and there was no success until trading companies gave to the work their ability and enterprise.

SUMMARY

Before the time of Columbus, various peoples had probably visited America, but for one reason or another the world had made no use of their discoveries. The work of Columbus, though entirely different from what he had expected to accomplish, was the direct result of European conditions. It was the expression of that marvelous intellectual transformation of Europe known as the Renaissance, and as such is to be ranked with the invention of the printing press and the formation of the modern languages. But it had further significance: it not only pointed backward to

¹ Many believe that Raleigh's colonists intermingled with the natives. Jamestown heard of a white princess at the south. On the southern border of North Carolina there is now a seemingly mixed race of people who are called Croatans.

On a military map used by General Grant in 1864, there is a spot, about eleven miles southeast from Richmond, marked "The grave of Virginia Dare." O. R. Atlas, plate xcii, map 1, section 1.



an awakening Europe, but it also pointed forward to a day of new achievement for all the world — a day in which America should take first rank in the most enlightened civilization mankind has ever known. It stimulated men's interest in the world and led Spaniards, Englishmen, Portuguese, and Frenchmen to make explorations in the new hemisphere. Most of these explorations were inspired by the love of adventure and the greed for gold, but they laid the basis for European claims and for colonial empire.

REVIEW QUESTIONS

1. What makes the discovery of Columbus more important than that of Leif Ericson?
2. Was Columbus's discovery an accident?
3. What gives to Columbus special claim to the admiration of the world?
4. What importance should be attached to each of the following: De Soto, Cartier, Cabot, Cabral?
5. How did Spain come into possession of the Philippines? How long did she keep them?
6. How did Brazil become a Portuguese possession?
7. Why was Spain more active in the New World during the fifteenth century than were the other nations of Europe?
8. Why did the Spaniards confine their activities chiefly to the southern half of the Western Hemisphere?
9. State the claims of each of the following nations at the close of the fifteenth century: Spain, France, England, Portugal.
10. If South America had been an island would the story of exploration and settlement have been different?



MONUMENT AT OLD FORT RALEIGH

Part II

THE BUILDING OF FREE LOCAL INSTITUTIONS

CHAPTER IV

THE SOUTHERN COLONIES

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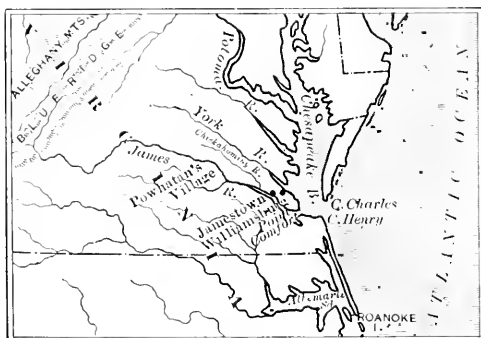
VIRGINIA

By the close of the sixteenth century England had taken her place well toward the front in everything that makes for national greatness. The Tudor monarchs had endeavored to maintain peace and develop the internal resources of the nation. The people were weary of war and turned eagerly to the arts of peace. The result was expressed in an unprecedented growth of industry and commerce. Agriculture was supplanted as the leading industry by manufacturing and trade, and England became urban rather than rural. The destruction of the Spanish Armada in 1587 had signalized the material supremacy of England as well as the definite establishment of Protestantism. Moreover, the full tide of the Renaissance reached England in this century and greatly stimulated every form of intellectual and spiritual activity. It was the golden age of literature, the reformatory age of religion. It was essentially a period of transition and of expansion. The nation was becoming conscious of its power and was undertaking to explore every field of human enterprise. What was more natural than the colonization of the New World?

58. Conditions in England — 1600

59. The Virginia Company

Raleigh's attempt at colonizing (57) had been undertaken at his own cost and misfortune, and no one had arisen to emulate him. But it was not uncommon in Europe to form trading companies, under a charter from the monarch, which charter granted authority to trade, to settle, and to govern the settlers, and provided that the king should be paid a specified part of the profits. Such a company was formed in England in the year 1606, and received King James's authority to colonize Virginia. In this company there were two groups of shareholders, one of the groups residing at Plymouth, the other at London. The London branch undertook to make a settlement in Virginia, and received a charter to all the country along the coast from 34° to 38°, while the Plymouth branch received a grant to all land



VIRGINIA IN EARLY DAYS

between 41° and 45° north latitude. The intervening territory was to be subject to settlement by either branch, provided only that one should not make a settlement within a hundred miles of a settlement of the other.

The colony was to be governed by fourteen councillors in England, subject to the king, who should name thirteen men of the colony as a local council. The colony was to be under the immediate control of the local council, and the council under the general control of the king.

60. The founding of Jamestown — 1607

On the 19th of December, 1606, the first permanent settlers that England ever sent out as a colony sailed for the Virginia coast in three small ships, under command of Captain Christopher Newport. There were one hundred and forty-three men; not a woman or a child was among them. Many were "gentle-

men unused to work and scorning it; only twelve were laborers, and among the artisans were jewelers, gold refiners, and a perfumer." On May 13, 1607, Newport came to land on the left bank of the James river, about forty miles above its mouth, and the colonists began a hard struggle against untamed nature and untamable men. For two years they endured indescribable hardships. Food ran low; many colonists would not work; others spent their time in exploring rivers or in hunting for gold. The change of climate and mode of living caused sickness, despair, and death.

Meanwhile, natural leaders had appeared, who saved the colony from utter ruin. Captain John Smith, in great disfavor with the colonists when they landed, had won the first place in their esteem. He proved himself to be the man for the hour. When Smith became the leader of the colony, he decreed that

"he who would not work should not eat," and then everybody worked. He urged the strong to exertion, cared for the sick, cultivated the friendship of the Indians, explored the country, made maps of it, and wrote books about it. Moreover, Smith helped the situation from the other side of it; he begged the council to send no more idlers; he wished for farmers, carpenters, blacksmiths, woodcutters, and ditch diggers. But, with all Smith's efforts, the colonists were reduced to a sorry plight; they had passed through a "starving time"; nearly half had died from fevers and starvation. The survivors were despairing wretches whose greatest desire was to see England again.



61. Captain
John Smith

CAPTAIN JOHN SMITH

From the map in his *Description
of New England*

Just as they were about to leave their new homes, as they thought, forever, Lord De La Warr came to their help with immigrants and supplies. The colony thus near to extinction took on new vigor and began the second stage of its history.

62. The
charter of
1609

The colony, of course, was very unprofitable to the shareholders and the king granted a new charter with larger liberties to both patentees and colonists. In this charter the territorial boundaries of the colony were made to extend two hundred miles north and south along the coast from Old Point Comfort, and to include "all that space and circuit of land lying from the seacoast of the precinct aforesaid up into the land, throughout from sea to sea west and northwest." Surveyors, very probably, would require some time for plotting the land from such field notes; and, of course, boundary troubles afterward came thick and fast. This charter was one of the bases of Virginia's claim, in later years, to the vast territory in the Northwest.

63. Com-
munity
labor
abolished

Lord De Warr ruled for one year. The greatest improvement effected by his administration and that of his successor, Sir Thomas Dale, was the allotment of land to individuals for cultivation and private ownership of the ensuing crop. Before this time all things had been held in common, each man being duty-bound to give his labor to the colony in return for supplies from the common store — a rule that discouraged industry and frugality while it fostered idleness with all its attendant evils.

64. The
charter of
1612

The business part of the venture, however, was as yet unprofitable and in March, 1612, another charter was granted, giving still greater privileges to those having the affairs of the colony immediately in charge. This new charter placed the Bermuda Islands, or Somers Islands, under the control of the Virginia colony, and gave large authority to the governor-general of both with respect to the enforcement of law and punishment for crime. And, by this time, personal ownership of property had proved itself good. Men had worked the farms; the earth had borne increase; prosperity was at hand through the cultivation of tobacco, the use of which soon spread throughout England and Russia in spite of laws and royal edicts.

During the administration of Dale the colonies were greatly oppressed by severe laws concerning religion. Among other things, they were required to attend divine service twice every day at the tolling of the bell, upon penalty of having their "allowance" withheld for the first offense of neglect, a whipping for the second, and for the third dereliction they were condemned to the galleys for six months. Each man must satisfy his minister as to the soundness of his faith. It was a capital offense to speak against "God's name" or the faith of the Church of England.

65. Puri-
tanic
influence in
Virginia

Samuel Argall, who succeeded Dale in 1617, by his severity drove the colonists to combinations in resistance to the royal authority; and there developed a degree of self-confidence and co-operation among the Virginians.

66. Argall;
Sandys

When Sir Edwin Sandys became governor, he used his credit in giving the colonists more and more freedom in private life, and a greater voice in the government of the public affairs of the colony.

In 1619, through a more enlarged policy in England, Governor Yeardley, who was no less magnanimous himself, was sent out with the most liberal instructions for the governing of Virginia that had, up to this time, been given for any colony. The quaint wording of his instructions was as follows: "That they might have a hande in the governinge of themselves yt was graunted that a general Assemblie should be helde yearly once, whereat were to be present the GovR. and Counsell with two Burgesses from each Plantation freely to be elected by the Inhabitants thereof, this Assemblie shall have power to make and ordaine whatever lawes and orders should by them be thought good and profitable for our subsistance."

67. Repre-
sentative
government
— 1619

By this time there were in Virginia eleven settlements within a few miles of one another, and from each of these were elected two delegates called burgesses. These burgesses composed the first representative law-making body that ever assembled among the American colonists, a prophecy of larger things. They met with the council and governor in a little church in James-

town in 1619. What the colonists would do must be referred to the council in England, but what the council would do must be referred to the colonists before it could be binding. The Virginia colony thus became the Training Camp of Freedom.

68. The
first slaves
— and
others

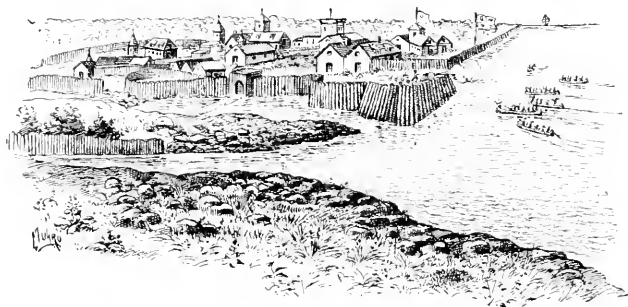
In the same year a Dutch vessel brought to Jamestown and sold twenty African negroes, and thus began in America an extension of the slave trade that had been carried on with the West India islands and many parts of the civilized world. Kings and queens in those days shared in the profits of the slave trade, and there was no country in which it was legally condemned. Slaves were soon found to be profitable as laborers in the tobacco fields. The tobacco plantations were now producing about 40,000 pounds a year, which sold at a very high price in London. Affairs were looking much better; men with their families had come; in 1621 ninety young women of good character were brought over in company to share the prosperity and happiness of as many bachelors; and such was the success of this enterprise that others followed; but not all immigrants even at this late period were "desirable citizens," for, of the lower and unfortunate classes, many convicts and vagabonds were enticed or entrapped and sent to America, some as indentured servants who hoped to find a generous master who would accept service in return for money to pay ship passage or prison fines. These slaves, for the time being, were afterward known as "indentured" or "dented" servants.¹

69. Local
independ-
ence alarms
the king

Yeadley's generous policy was continued and enlarged by his successor, Sir Francis Wyatt, who came over in 1622 and brought a written confirmation of the liberties previously assumed and allowed. But now the king of England began to be right regally alarmed at the growth of local independence and freedom in this advancing quarter of the world, and

¹ "If a deed be made by more parties than one, there ought to be regularly as many copies of it as there are parties, and each should be cut or indented (formerly in acute angles *instar dentium*, like the teeth of a saw, but at present in a waving line) on the top or side, to tally or correspond with the other; which deed, so made, is called an indenture." — Blackstone, *Commentaries*, II, xx.

declared that the London Company's Virginia colony had become a "seminary for the teaching of sedition and opposition to royal authority." He had learned to doubt the wisdom, from a royal point of view, of admitting the liberal ideas of the members of the company, and had become as nervously sensitive to the manifestations of freedom and growing independence in the colony as any king "by the grace of God" ought to be. This sensitiveness of his gracious majesty was the real reason for



JAMESTOWN IN 1622

After a cut in the *Scheeps-Togt van Anthony Chester na Virginia*, 1622

his revoking the charter in 1624; but in his great grief at the colony's loss through Indian troubles,¹ he declared that because the company neglected to care for the plantations he would take matters into his own hands. Thus Virginia became a royal colony. She kept her assembly and continued to learn the ways of self-government and to advance toward freedom.

¹ In 1622 occurred the death of the Indian chief Powhatan who had been a friend to the English. There had been some friction, of course, between the Indians and settlers as the whites encroached upon the ancient preserves of the natives, but this had been held to a minimum by judicious governors and the Indian chief himself. Now that Powhatan, the friend of Captain John Smith and the father-in-law of John Rolfe, who had married Pocahontas, was out of the way, the Indians under Opecancanough, treacherously fell upon the English settlements on March 2, 1622, and slew about three hundred persons before they were repulsed. Jamestown itself was saved by a friendly Indian who revealed the plot, but too late to save the outlying settlements. A bloody war followed, and the colony lost about fifteen hundred of its four thousand inhabitants; but the Indians were at length decisively beaten and pushed back to make room for further settlement.

She was becoming the land of the country gentleman. Many families of wealth and refinement had come and had built commodious dwellings in the midst of large estates. The planters had their private warehouses and wharves for handling their tobacco crops, which were being cultivated and gathered with the labor of indentured servants and a few negro slaves.

**70. A
struggle
with royal
authority**

In 1620 King Charles I, needing money in his contest with parliament, was looking to the tobacco industry of Virginia as a possible source of revenue. A royal governor, of course, must represent a royal majesty's will, so Sir John Harvey, the governor, in his great desire to make the tobacco industry and other sources of revenue produce largely for his master, became odious through his schemes for taxing the people exorbitantly. The calling of the general assembly by the council and king to consult about revenue and other colonial matters, did not weaken the opinion among the people that they had the right to participate and to protest. The governor further alienated the good will of the settlers by his sympathy with Lord Baltimore's colony, planted on territory which belonged to Virginia under her charters. Matters came to a crisis when the colonists arrested the governor and sent him to England to stand a trial for violation of the laws. Some of the boldest went with him to prosecute the case. Nothing came of the charges. Harvey was exonerated, and he returned; but the Virginians were not molested for having dared to prosecute the royal governor. King Charles was annoyed, almost exasperated, by the audacity of his Virginia subjects, but he was prudent enough to vent his feelings in words only. He reappointed the genial Wyatt, who was much in favor with the colonists, and under his kindly influence contentment and prosperity returned. But the king was torn by a divided mind as well as a divided ministry at home. In his policy toward Virginia he vacillated between indulgence and severity. While his favors encouraged enterprises which brought financial gain, they also tended to develop a spirit of independence as well as the ability to maintain it, much to the royal displeasure and embarrassment. In Berkeley,

however, the king was rejoiced to find a true exponent and a willing tool, who ruled the colony from 1642 to 1676, except for part of the Cromwell interval, from 1652 to 1659.

In every division of sentiment or purpose in the colony, Berkeley was an open, intelligent, obdurate partisan for England. He was a staunch churchman and, regarding both Puritan and Catholic with aversion and suspicion, he bristled at their presence as though they, instead of the savages, were the chief source of danger to his government. When Puritan thought and sentiment engulfed England and placed Cromwell at the head of affairs, the Virginians were loyal to the king and showed willingness to engage in his defense against the "Roundheads." During the period many families of distinction came over to Virginia in order to escape persecution at home, and the population increased from fifteen thousand to forty thousand within about two years. In fact, Virginia became a kind of Mecca for the sympathizers of the dethroned king. But Cromwell promptly sent commissioners to encourage a better mood; and with the appearance of the little frigate *Guinea* in the Chesapeake, all forms of resistance came to an end. The commissioners under the commonwealth were moderate in their demands. Liberty was granted generously, and the colony prospered under the protectorate.

Far away from kings and thrones, the colonists, or some of them, were free to fight among themselves. Soon after Virginia had become a royal colony, William Claiborne, a vigorous, resolute Puritan, claiming Virginia as his home, established a trading-post on an island in Chesapeake bay, and carried on an extensive business in fur trading along the coast as far north as Newfoundland. About 1634, the year following that of the king's grant to the Calverts of the territory of Maryland, which was within the original boundaries of Virginia, Claiborne undertook to drive the Calvert colony away, but he was defeated and driven back to Virginia. In 1645 Claiborne tried again to dislodge the Marylanders, and succeeded in ousting Calvert for a time, but in his turn was driven back again to Virginia. In

71. The
Puritan
supremacy
in England

72. Clai-
borne and
Maryland
— 1654

1654 Claiborne, as one of the commissioners, met a force of Marylanders at the Severn river and gained the ascendancy. Three years later the matter was finally settled, and the Calverts held their territory.

**73. The
Restoration;
effect upon
Virginia —
1660**

In 1660 the monarchy was restored in the person of Charles II. While dominating England, Puritans and Puritanism had flourished in America, even in the Old Dominion, but now that the Stuart kings were again in power, a royal governor was again in control of the colony, Berkeley having been called from his country seat in Virginia, where he had retired when Cromwell became ruler. Oppression began; navigation acts were passed requiring all trade to be carried on with England and in English ships; heavy taxes were forcibly collected; creatures of the king were appointed to places in the colonial council; industry suffered; persecutions and dissensions dissipated the energies of the people, and the colony languished in all its interests. Land titles were disturbed and agriculture became unprofitable through extortionate taxation; then came local confusion and consequent feuds. The governor, more interested in the fur trade and other business interests than in his obligation to serve the colony, permitted the marauding Indians to roam unmolested for fear his private revenue from trade with the tribes should suffer. Everything seemed upside down; it was a current saying that "a bullet would not pierce a beaver's skin." Yet the condition existed not through any variance of the law of cause and effect, but by reason of that law, and the people knew it and knew where to place the responsibility for the misery they endured. The unfortunate complications caused by the rule of a governor who was out of sympathy with the rising tide of democracy came to a crisis in the public protest that is usually called "Bacon's Rebellion."

**74. Bacon's
Rebellion —
1676**

Sir William Berkeley, of course, was a true royalist, and his ardent sympathies were with the rich class that had come to the colony, and not with the poorer who were really the basis of Virginia's prosperity and who inevitably repaid the governor's aversion. The Indians harassed the border, but Berkeley failed

to realize the gravity of the situation and neglected to provide protection. It was under these conditions that many men, thinking the time had come for action by the people, found a leader in young Nathaniel Bacon, who, placing himself at the head of a company, requested of the governor a commission to march against the Indians and restore peaceful conditions.

But, seemingly given over to his idols, and, whether indifferent or scornful in face of a popular demand, Berkeley refused the somewhat irregular yet natural request, and Bacon, with his men, believing that they had already crossed the Rubicon, marched against the Indians and defeated them. Then Berkeley cried insubordination, outlawry, and treason,



BACON AND BERKELEY

declaring Bacon a rebel, and as a consequence there resulted a state of civil war, in which Bacon attacked Berkeley, burned Jamestown, and drove the governor out of the colony. In the height of his success, however, Bacon died and his followers were scattered. Berkeley's policy of persecution now drove many of Bacon's followers to take refuge in other colonies, notably in Carolina. Berkeley's severity drew from Charles II the famous statement: "That old fool has taken more lives in that naked country than I for the murder of my father."

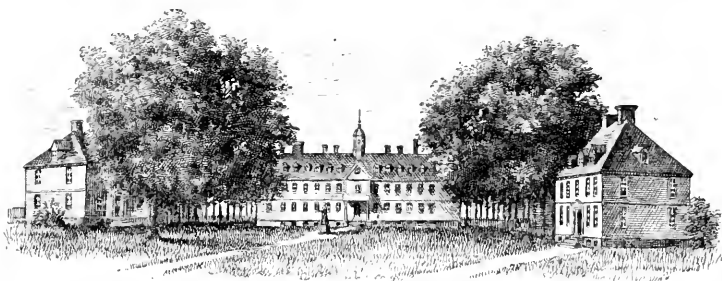
These events occurred just one hundred years before the Declaration of Independence. Bacon's war was the "little fire that kindleth a great matter," or the smoking flax that afterward became the conflagration that lit up the dark places of the earth.

Berkeley was recalled, but one bad governor succeeded another until the climax was reached and repeated in Sir Francis Nicholson. These governors levied exorbitant taxes on tobacco;

75. Berkeley recalled;
William and Mary
College

they even manipulated the coinage in their own interests. Nicholson did these things, and more: he persecuted and hanged men who opposed him. The political conditions, intolerable if permanent, contained power for future good; out of the misrule and suffering there steadily grew opposition to arbitrary government and a determination to combine in order to resist it.

In the closing years of the century, Rev. James Blair was sent to England to procure a charter for a college, and returned with



COLLEGE OF WILLIAM AND MARY

After a lithograph made from a drawing by Thomas
Millington, about 1740

the charter of "William and Mary," to be located at Williamsburg, which was the capital after the burning of Jamestown. This was the second American college, Harvard being first and Yale third.

By this time the colony, after passing dangerously near annihilation in 1609, had grown from the one hundred forty-three men who came in 1607, to a vigorous and permanent society, consisting of nearly one hundred thousand inhabitants.

MARYLAND

About twenty-five years after the landing at Jamestown, George Calvert, Lord Baltimore, who was a member of the Virginia company, having become greatly interested in colonization plans, obtained from King Charles I a grant of land which had for its northern boundary the fortieth parallel, and its

southern, the south bank of the Potomac river to a point near its mouth. From this point the line was to run across the bay to "Watson's point," and the western boundary was to be the meridian passing through the western source of the Potomac river. The territory within the described limits had been included in the grant of the Virginia company, but the king reclaimed the right to it on the ground that every grant reverted to the crown when the charter was revoked.

Lord Baltimore had first attempted to establish a colony in Newfoundland, but a winter there had convinced him that the climate was too severe. So, with many of his associates, he had gone to Jamestown, where he received no welcome because he was a Catholic. He then sailed for



CECILIUS CALVERT, LORD
BALTIMORE

After a portrait in the British Public
Record Office

England and sought and obtained a charter to what is now Maryland. But he died before the charter was in his possession, and his son Cecilius Calvert obtained the charter and proceeded with his father's unfinished task.

In November, 1633, Cecilius Calvert sent out his brother Leonard with two hundred colonists, who settled at St. Mary's, on the north bank of the Potomac river. Claiborne's hunting camp on Kent island was within this territory (72).

Lord Baltimore is greatly distinguished for his tolerant spirit in regard to the religion of others. Although he had suffered some forms of persecution for his faith, he not only refused to retaliate, but even welcomed the Protestants to his colony. With great power granted by the king, he used it in the ways of peace and friendship. He might have forbidden the coming

**77. Notable
charter
provisions**

of any person of any sect, but he invited every sect, even the Puritans of New England.

The proprietary was almost regal in power. His only obligation to the king as expressed in the charter was to pay two Indian arrows a year in acknowledgment of his fealty. Such a tribute, however, though trivial as to value, shows the fact, back of all charters, that the king was the court of last resort in all things.

The charter was remarkable for the provision that the colony should be governed by the proprietary and the people. At first all the people met and passed all laws, such as they desired. Later, the scattered settlers preferred to elect representatives. In 1650 the representatives of the people, or burgesses, sat as the lower house, and the councillors summoned by the proprietor sat as the upper house. About the only trouble they had concerning government related to the question whether the people or the proprietor had the right of initiative in calling an assembly, and that question was compromised.

**78. The
Toleration
Act — 1649**

Protestants and Catholics came to Maryland in the first shipload of immigrants, and they lived together for many years in peace. It was the time of the Thirty Years' War in Europe, the chief phase of which was religious. The discord of the sects disturbed England, and its consequent influences, of course, reached all the colonies with greater or less effect, and began to become troublesome in Maryland in spite of charter provisions and of laws. In 1649 the assembly passed an ordinance that no man should be molested in his religion or his worship, provided only that all must believe in the doctrine of the Trinity or in the Christian religion.

**79. The
Puritans in
control**

During the ascendancy of Cromwell in England the Puritans gained control of Maryland, persecuted the Catholics, and deprived the governor and the proprietor of their rights. But with the restoration of the monarchy in 1660, Calvert also was restored to power, the toleration act was again in force, religious and political freedom once more prevailed, and the colony prospered in spite of its troubles.

The troubles of the colony may be stated briefly: (1) Religious controversies which were largely results of English conditions. (2) The boundary disputes; among them, those which gave Claiborne ground for causing trouble. (3) The navigation acts, which embarrassed planters in shipping their goods. In 1691 Maryland became a royal colony.¹

The general conditions and possibilities of the eastern coast in these latitudes had been made known to the English through the Jamestown experiment, and the Maryland proprietor and colonists had known before they came over that a better living could be made in their country by digging up trees and sowing seeds than by prospecting for gold or by seeking water routes to India. Having learned a lesson in government also, they divided their law-making body somewhat after the plan of the Virginia assembly. Worthy settlers continued to come into the colony, attracted by the liberal government, its tolerance in religion, and its solid basis of prosperity.

Wheat and corn were grown in large quantities, but tobacco was the chief agricultural export. Manorial estates, the best conditions of rural life, and government by the county as a unit developed naturally, as in Virginia. Almost all the people were English, and they were united rather than divided by the many arms of the great Chesapeake, which facilitated communication and aided in promoting a commerce that was fast becoming important.

SUMMARY

The English people took strong hold of the matter of colonization at the beginning of the seventeenth century as a natural part of their national expansion in every direction. Their settlements developed under the greatest difficulties; but habits were formed and policies were matured that left a permanent impress upon American life. Both slavery and representative government had become well established institutions in Virginia and Maryland by the close of the seventeenth century. Resistance to royal authority in these two colonies had several times shown the temper of their citizens and had pointed the direction of future developments. Religious questions.

¹ The heirs of Lord Baltimore held thenceforth the relation of landlords to the colonists, and this relationship was not ended until the Revolution.

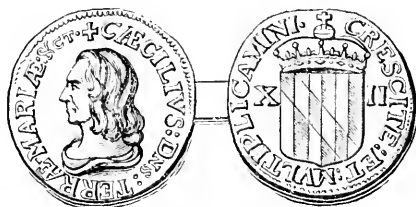
80. The lessons of Jamestown

81. General conditions in 1700

often agitated the settlers, especially in Maryland, where the spirit of toleration and freedom was strong from the beginning. Population increased steadily in spite of hardships, and the industries, particularly the cultivation of tobacco, became well established. On account of the predominance of agriculture, the county system of government was adopted — a system that afterward extended itself to all the southern colonies and became the type of all southern political local organization.

REVIEW QUESTIONS

1. Why did the English become active colonizers about the beginning of the seventeenth century? 2. What difference was there between Raleigh's attempts at settlement and those of the London company? 3. What was the chief weakness of the Jamestown government in the beginning? Why? 4. Representative government was introduced in Virginia in 1619. Is the representative idea very prominent in our political institutions of today? In our religious, social, and business organizations? 5. Negro slaves were first brought to Virginia in 1619. Has this fact had any bearing upon our political history? religious history? social history? economic history? educational history? Show how in each case. 6. Make a list of the incidents in this chapter that exhibit the spirit of democracy. 7. Think of two adjectives that describe the character of the institutions Virginia and Maryland were building during this period. 8. Trace on an outline map of North America the limits of the Virginia charter of 1609. What complications might be expected to arise from this charter later? 9. Enumerate the incidents related in this chapter that reflect conditions in England. 10. What was the boundary line between Maryland and Virginia according to their charters? Can you see any possible difficulties that might later give them trouble?



A MARYLAND SHILLING

CHAPTER V

THE SOUTHERN COLONIES (Concluded)

REFERENCES

Thwaites, *The Colonies*; Hart, *Contemporaries*; Hart, *The American Nation*; Channing, *Students' History U. S.*; McCrady, *South Carolina under the Proprietary Government*.

THE CAROLINAS

In 1663 Charles II granted "all the region lying south of Virginia, extending from 31° to 36° of north latitude, and westward across the continent from ocean to ocean" to a number of his supporters. The names written in the instrument are very familiar today: Clarendon, Albemarle, Craven, Berkeley, Ashley, Carteret, Colleton — names attached to important geographical or political features on the map of the Carolinas. In 1665 the grant was extended to $36^{\circ} 30'$ north, and south to the twenty-ninth parallel.

82. The
charter of
1663-65

The charter provisions were quite simple and generous, guaranteeing religious liberty and making it possible to invite settlers of any faith. The lords proprietors were empowered to make any law "with the advice and assent and approbation of the Freemen of the said Province, or of the greater part of them or of their delegates or deputies." However, the proprietors were authorized to make ordinances in emergencies without the advice of the people, provided that such ordinances were reasonable and not repugnant to the laws of England. The assembly could meet on its own initiative, a rule which might have saved Maryland from trouble and Virginia from oppression (73, 74, 77). New settlers were exempt for five years from prosecution for debts contracted elsewhere, and from taxes for one year. A somewhat peculiar provision of the charter empowered the proprietors to confer upon any one, who through his deserts or services was worthy, such marks of favor and

titles of honor as they saw fit, provided only that these titles should not be the same as were conferred in England. This provision probably was the origin of Locke's Grand Model (85).

83. The
Albemarle
settlers —
1653-1662

Possibly there were already three hundred white families in the Carolinas when Charles II granted the charter of 1663. One group had been conducted from Virginia by Roger Greene to a site on a bay known afterward as Albemarle sound; this settlement was begun in 1653.¹ Another was begun near by in 1662 by some Dissenters and Quakers under George Durant; they came from Virginia and Maryland, where they had been made very uncomfortable.

84. Sir
John
Yeamans at
Cape Fear
river

In the same year in which the final charter was issued, 1665, Sir John Yeamans, with a company of colonists from Barbados, landed at the mouth of Cape Fear river and attempted a settlement, where they hoped to find relief from governmental oppression.² They called their settlement Clarendon. Before leaving Barbados, Yeamans had been already commissioned governor of the county of Clarendon and of all the territory as far as Florida. But the governor of so great a territory and so few inhabitants returned to Barbados, abandoning the colony, which dissolved before the close of 1667, some of the colonists joining the Albemarle settlement, some going to Virginia, and others to New England.

85. Locke's
Fundamen-
tal Consti-
tutions

Mr. John Locke, the English philosopher, was secretary to Lord Ashley, one of the proprietors. Ashley requested Locke to formulate a plan of government for the Carolinas, and the philosopher drafted his Fundamental Constitutions, July 21, 1669. In derision the settlers called this instrument the Grand Model. Taking advantage of the vice-regal authority conferred in the charter, it provided an intricate system of government suited to a dense population, if suited to anything, rather than to a few settlers in a new country. Society was to be classi-

¹ The Duke of Albemarle, one of the proprietors of Carolina, was the famous General Monk who, in command of the army of the Commonwealth, had been so important a factor in the restoration of the Stuarts.

² "The government of Charles II had levied a tax of four and a half per cent on the produce of the island." — McCrady's *South Carolina*, I, p. 70.

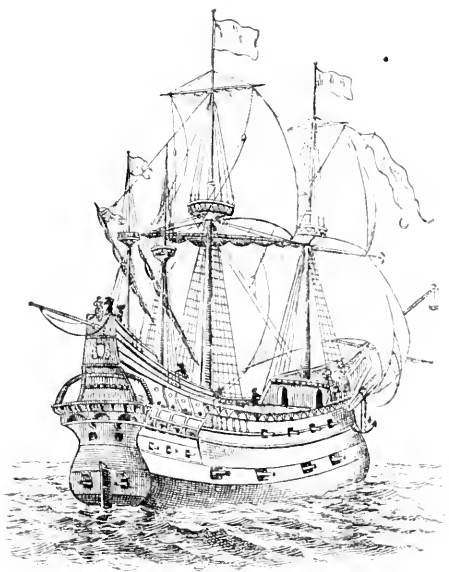
fied into strata, which were to be forever fixed. There were signories, and baronies, and landgraves, and caciques, and eight supreme courts. Doubtless there would have been dukes and earls and lords but for the restriction in the charter (9). Each of the proprietors was to have a high office with a large income. Powers to tax were limitless. The colonists never understood the provisions of the Grand Model, though for almost thirty years the proprietors endeavored to enforce them whenever an instrument of oppression and extortion was needed.

The few Albemarle colonists were now struggling for physical existence. The navigation acts were enforced, ruining their West Indian trade and putting the means of cruel extortion into the hands of the English shipowners. The governors sided with the proprietors, and the wretchedness of the settlers became pitiable.

While the Albemarle settlers were growing in numbers and 86. The be-
ginnings of
Charleston
— 1670
were having commercial and political troubles, the first settle-
ments in what is now South Carolina were being made. In
August, 1669, three ships, the *Albemarle*, the *Port Royal*, and
the *Carolina*, with two hundred emigrants, sailed from London,
bound for Port Royal harbor in Carolina. The *Albemarle* was
wrecked at Barbados, and another vessel was procured. Then
the *Port Royal* was cast away on one of the Bahama islands.
Lives and valuable cargoes had been lost. Port Royal harbor
was reached in March, 1670; there it was determined to proceed
farther north. In April the *Carolina* sailed into Charleston
harbor, and the emigrants landed on what they named Alber-
marle point on the Ashley river, and at once began to con-
struct a town with fortifications. The next year, however, the
settlers began a removal a few miles to the site of what became
Charleston.

The first governor was William Sayle, almost eighty years 87. Gover-
nor Sayle
and
Governor
West—1671
of age, yet under all the circumstances perhaps the best man
for the office. The *Carolina* sailed to Virginia for more pro-
visions, Virginia by this time being rich and prosperous. The

surrounding Indians, called the Kiawhas, were friendly; they had hostile neighbors on the south, and were very willing to have the whites for allies. Still, the colonists kept on their



A SPANISH GALLEON

guard, both against Indians and Spaniards, for Spain claimed this country as a part of Florida, and at St. Augustine there was a fort garrisoned by some hundreds of her regular soldiers. A Spanish fleet might appear in the harbor any day.

There was political trouble in South Carolina. Locke's Fundamental Constitutions proved impracticable, and compromises had to

be worked out. Governor Sayle did his best, but he was confronted by "strict constructionists" who demanded that he follow the letter of the instrument — that is to say, demanded the impossible.

The *Carolina* returned to Albemarle Point with a cargo of provisions, and sailed in September for Barbados, from which island more than a hundred new emigrants took ship for Albemarle Point early in 1671. There were reinforcements in that year from the Dutch of New York also, and from England. Governor Sayle died in the spring of 1671, and was succeeded by Joseph West. There were now about four hundred persons in the colony.

But Yeamans, who had abandoned his people at Cape Fear

and had returned to Barbados, appeared in Charleston, built a home there, and soon succeeded, with the help of the Fundamental Constitutions, in having himself appointed to supplant West, whom the council had elected to fill what we might call "an unexpired term." The proprietors made West a cacique and appointed him "registrar of writings." Yeamans brought from Barbados to Charleston his negro slaves, the first that came to the colony. Unpopular from the first, the troubles of the colony made him more so. Political bickerings, friction with Indians, the escape of slaves and white criminals to the Spaniards, combined to make his rule odious because of his inability to deal with such conditions. The proprietors at length superseded Yeamans with West, whom they made a landgrave in order that he might, under the Grand Model, be qualified for the office of governor.

West held the office until 1682; and under his wise guidance prosperity began and continued. Other settlements sprang up near Charleston, and the Huguenot accession to the colony began. The country was explored as far west as the mountains; treaties were made with the Indians, and trade with the natives was greatly increased; their land was bought with beads and trinkets; and the Grand Model was disregarded.

Prosperity was beginning to come — at first through trade rather than through agriculture. The colonists exported skins, furs, and valuable wood to England; and with Jamaica and Barbados and other islands exchanged pitch, tar, timber, and provisions for sugar, molasses, rum, and ginger. They sold Indians as slaves to the West Indies, and brought back negro slaves to the colony; the Indians, most likely, had been captured in war by other Indians, as the negroes had been captured in war by other negroes. In the eyes of the whites both were looked upon as commodities of traffic; and the bargaining for a negro or an Indian was regarded not in the light of morals, but of expediency.¹ Yet the proprietors thought it was very

88. Yeamans supplants West; and West supplants Yeamans

89. West's wise administration; West removed — 1682

¹ It should be remembered that, for a hundred years after these times, the rules of civilized warfare permitted a conqueror to dispose of the conquered in any abso-

wrong for the colonists to sell Indians on their private account, for such trade was considered one of their own peculiar privileges according to their grant; so Governor Joseph West was removed from office.

**90. Troubles
in both
colonies**

Meanwhile the Albemarle settlements were having troubles, yet were increasing in population and advancing to a condition of stable prosperity. The people, sturdy and independent from the first, developed a strong attachment to free institutions. They resisted the government under the Grand Model, and even dared to banish one of the governors sent over from England. Their refusal to obey the navigation acts persisted to the point of offering violence to their governor and his council. There was an end of the troubles when the proprietors gave up their efforts to enforce the provisions of the Grand Model.

From the time of West's retirement until John Archdale became governor, a period of twelve years, there were no less than ten changes in the office. During this period troubles increased; the people at one time, through their representatives, declared they would be governed only by the charter, and not by the Grand Model, but the governor persisted and there was a dead-lock in the assembly. Violence followed and the governor proclaimed martial law; but without the strength to enforce it, he was compelled to ignore the infraction. At times there was little of real law administered in the colony. The governor whom the Albemarle people had banished sought refuge at Charleston. Confusion reigned; many people welcomed him back as a possible improvement upon the incumbent, and, being one of the proprietors, he had legal right on his side, and summoned a parliament and had his rival banished.

**91. Governor
Archdale**

John Archdale came out as governor of both colonies, and with power to appoint a deputy-governor for North Carolina. There had been, and there still were, very great troubles concerning quit-rents exacted by the proprietors; these troubles Archdale lute way he might choose. Even Frederick the Great, in the eighteenth century, forced thousands of captured enemies to take service under his banner; and in South Carolina itself, the British in the Revolution, justified, with this rule, their treatment of prisoners.

had authority to settle, and in settling them he rendered valuable service. He was willing to remit all arrears up to the last quarter of 1695, provided the remaining debts were secured and measures taken to secure the prompt payment of the quit-rents in the future.¹

Under Archdale the management of Indian affairs was fortunate; and it is interesting to know that in his administration an act was passed prohibiting the "sale except by license from the governor, of any beer, cider, wine, brandy, rum, punch, or any strong drink whatsoever, under the quantity of one gallon at one draught." When he was ready to leave for England, the assembly gave him an address of thanks, praising his pacific government; but after his departure the troubles were renewed.

It was plainly impossible for these early Americans to live under a constitution that seemed made for serfs. The Grand Model was practically ignored in 1696; the proprietors continued to find difficulty, and in 1729 they ceded to the crown all rights to govern the colony with all property in land except one-eighth. The Carolinas thus became two royal colonies, and so remained until the Revolution.

GEORGIA

Georgia is unique in the purpose of its establishment, which was neither religious nor financial, but purely philanthropic. James Oglethorpe, the founder, served as chairman of a committee on prisons in the House of Commons, and became familiar with the prisons and prison conditions of England. He saw many honest but unfortunate men deprived of their liberty for debt without hope of release. His great heart was touched, and he determined to give the remainder of his life to the relief of the sufferings that he saw.

**92. James
Oglethorpe;
charter of
Georgia**

¹ Seemingly a sort of tax on land, the quit-rent was a render of money or its equivalent instead of services due a superior. A survival from feudalism, it gave trouble in every colony in which it was collected. McCrady, in his *South Carolina under the Proprietary Government*, has the following, Vol. I, p. 190; "This land was to be to them and their heirs forever, with the reservation of a penny an acre quit-rent to the Lords Proprietors."

In 1732, George II granted to Oglethorpe and his fellow "Trustees of Georgia" the land between the Savannah and the Altamah rivers, and from their courses westerly to the South seas. The territory was part of that originally granted as Carolina, but the king had purchased the rights of the Carolina proprietors (91).

The charter provided for "liberty of conscience in the worship of God to all persons except papists." Great power was given to the trustees; they might prepare all laws for the government of the colony, subject only to the approval of the king.

93. Settle-
ment of
Savannah
— 1733

Oglethorpe himself came out with the first settlers. They sailed in November, 1732, and in January, 1733, Oglethorpe selected a site for his colony near the mouth of the Savannah. The Georgia charter, in regard to land, was different from that of any other colony. The trustees could have no interest in any lands of the colony; nor could they grant more than five hundred acres to any one person. But an actual settler obtained smaller tracts without charge except for the cost of surveying and transferring. There could be no monopoly in land so long as Oglethorpe was at the head of affairs, nor could there be trouble concerning quit-rents which some of the colonies had to pay on granted land. "Only those who were willing to pay sweat for the soil could procure lands in this colony."

94. Rela-
tions with
the Indians

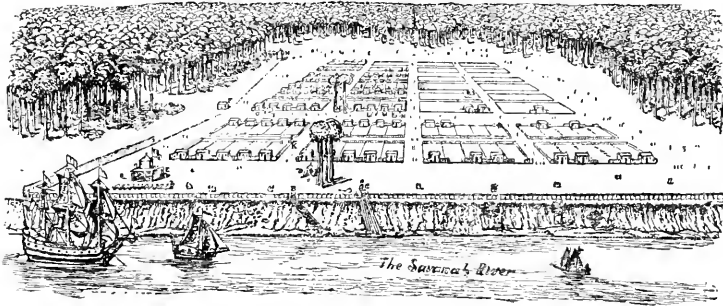
Oglethorpe wished to avoid trouble with the Spaniards and the Indians; the former, however, he must largely leave to the foreign policy of England; but the Indian relations must be his special care. So he promptly made a friend of Tomochichi, the head chief of the natives near Savannah. Moreover, he paid the Indians for their land, and the report of his fair dealing spread far and wide through the wigwams, west and south.

Debtors released from prison, Salzburghers fleeing because, of religious persecution, Scotch Highlanders, and Moravians came and helped redeem the wilderness.

95. Slavery
and rum
prohibited

The trustees had forbidden the introduction of slaves and the importation of rum. Each of these measures was an innovation, and criticism and complaint quickly followed.

Georgia was the only colony that forbade slavery; the other colonies were enjoying a lucrative trade in slaves, and the critics asked, "Why not Georgia?" As to rum, the New Englanders were making hogshheads of it, and becoming rich on the manufacture and sale of it; Georgia was simply standing in her own light. Nor could the Carolinians, or the Virginians, they said, move into Georgia, because they were forbidden to bring their



EARLY SAVANNAH, GEORGIA

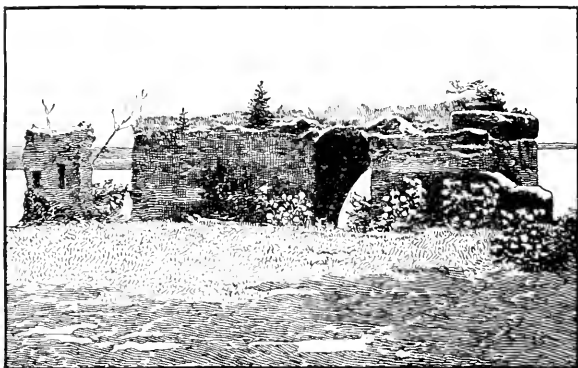
From a London print dated 1741. Dedicated to General Oglethorpe

slaves. Such a policy, it was argued, tended to isolate Georgia from the world, and to place her at a great disadvantage in the race for population and prosperity.

In July, 1739, Oglethorpe, with but half a dozen attendants, set out on a notable journey for the purpose of making a treaty of peace with all the important Indian tribes within the territory covered by his charter. Spain was assuming a very threatening attitude, and the great trustee, foreseeing that his beloved colony must be drawn into war, wished to be ready for action as soon as possible. He met the chiefs of the Creeks, the Choctaws, the Chickasaws, and other tribes at a place called in the Creek tongue Coweta, on the upper Chattahoochee; all terms were speedily arranged, and Oglethorpe smoked the calumet with the redmen. His next step was to go to England for the purpose of procuring help; and it is said that "he raised, equipped, and disciplined a regiment of 600 men, and in less than a year

96. War
with the
Spaniards

returned to Georgia, bringing with him the newly levied troops." The English government had decided not to await attack from the Spaniards, and had ordered General Oglethorpe to attempt the reduction of St. Augustine. Oglethorpe obeyed; and in command of an army of 2000 men appeared before St. Augustine, but the works of the Spaniards, as well as their numbers, seemed too strong to justify attack. In 1742 the Spaniards retaliated by invading Georgia. Oglethorpe's forces were



RUINS OF OGLETHORPE'S FORT AT FREDERICA

greatly inferior, but he bravely confronted the enemy, and after two or three small combats, was enabled, by a fortunate stratagem, to cause them to give up the campaign.

97. Georgia
a royal
colony
—1752

In 1743 General Oglethorpe, having placed the colony on a good basis, and having granted the demands concerning rum and slavery, transferred the government of the colony to the "President and Assistants of Savannah," and went to England.

In 1752 when the trustees surrendered the charter to the crown, there were about 23,000 white inhabitants in the colony, and perhaps a thousand negroes, slavery as well as rum having been admitted. From this time until the American Revolution, Georgia remained a royal colony.

SUMMARY

The Carolinas were first settled by wanderers from the other colonies, but in 1663 the English government granted a charter to certain nobles as proprietors, who governed the colonists until 1729 through proprietary representatives according to a Fundamental Constitution drawn up by John Locke. There was constant friction between the governors and the governed, the issue being generally matters involving the rights of the colonists.

Georgia, settled in 1732, was peculiar in several particulars. Settled late, it enjoyed the help of the other colonies in many ways. It alone had hostile relations with the Spaniards, unless South Carolina be excepted. It was founded upon philanthropy, pursued the most liberal land policy, for a time prohibited rum and slavery, and submitted to the rule of one man.

REVIEW QUESTIONS

1. Compare the power of the Carolina assembly with that of the Virginia and Maryland assemblies. 2. What, in your opinion, were some of the chief weaknesses of the Fundamental Constitutions? 3. Is there such a thing as a form of government that is suitable under all circumstances? Illustrate. 4. In what occupations did the people of the Carolinas first engage? What later? 5. Was there any moral objection to slavery in the Carolinas or elsewhere at this time? 6. Show why Georgia's was a composite population almost from the first. 7. Give an estimate of the character and work of James Oglethorpe. 8. Why did the Georgians submit more completely than the rest to the government given them? 9. Why was it especially necessary that Georgia keep on good terms with the Indians? 10. Oglethorpe was not a democrat in any sense. Why did he not help the king in the war of the Revolution?



SEAL OF THE GEORGIA COLONY

CHAPTER VI

THE MIDDLE COLONIES

REFERENCES

Thwaites, *The Colonies*; Fiske, *The Dutch and Quaker Colonies in America*; Hart, *Contemporaries*; School Histories.

NEW YORK

98. Exploring the Hudson River — 1609

In 1609, a little before the time when the colonists at Jamestown were dying of hunger, Henry Hudson sailed in his *Half-Moon* into a most commodious harbor and up the noble river which now bears his name. Although an Englishman, Hudson was in the service of the Dutch East India company, one of the most successful of the strong commercial organizations of Amsterdam; and he was coming to attempt the deed demanded of every great seaman — the discovery of a short route to the East, the land from which his patrons, at so much expense of time and of money, obtained the rich stuffs that supported their commerce. Hudson had at first tried to sail around the north of Europe; failing, he remembered that he had a letter and a map sent him by a friend, a certain John Smith, who was somewhere in the wilderness of America. So he turned his prow to the west, and in due time sighted the coast of Maine; thence he continued southward to the Chesapeake, hoping to find a good waterway through the continent. Then turning back, he explored Delaware bay, and sailed up the Hudson until the water became so shallow that he was convinced he could never reach China by that route, so he returned to Holland and made his report — a report of failure. Yet he, like Columbus, had succeeded. He had learned that the country was wonderfully good, and that it abounded in fur-bearing animals, for he had examined the shores on both sides of the river; and he had talked much with

the Indians, and they, under the charm of a peculiar water he gave them to drink, had talked much to him, becoming exceedingly garrulous for a time; nor did the shrewd captain of the *Half-Moon* exercise the arts of blandishment in vain, as the French could soon testify; for just about this time Samuel Champlain was over on the lake that bears his name, diligently engaged in shooting Iroquois Indians; and it is a significant fact of history that these people, who long separated the French colonies on the north from the Dutch on the seaboard, were always the friends of the Dutch and enemies to the French.



NEW AMSTERDAM IN 1656

After Van der Donck's *New Netherland*

Through private enterprise, interested in the fur trade with the Indians, voyages were made to the Hudson river region by Dutch vessels, but Holland, hesitating because the country was claimed by both England and Spain, took no official action of importance until 1621, when the Dutch West India company was given almost limitless authority over a grant of land "from Newfoundland to the Straits of Magellan," the longest continuous line of sea-coast ever claimed by any group of mortal men. Under this company, trading posts were established at New Amsterdam, at Nassau (so named by Adrian Block in 1614, but soon moved a short distance and called Fort Orange, and ultimately Albany), and at Fort Nassau on the Delaware river. These posts grew in population, and trade with the Indians flourished.

99. Settlements of the Dutch West India company

By this time it had been proved to the world, by both Virginia and Massachusetts, that America is a habitable country; so in 1629 the Dutch West India company set about attracting to New Netherland people who would build homes and become citizens, instead of those whose only purpose was to buy furs from the Indians and take them back to Holland for sale.



DUTCH PATROON OR
LANDED PROPRIETOR

Land was cheap and it was good; to attract settlers, the company had the "concessions" drawn up, providing that any member of the company who should introduce fifty colonists over fifteen years of age should have a tract of land with sixteen miles of river-front (eight miles if he chose both sides of the river) and extending as far back as other grants would admit. The patroons, as the great landholders were called, must bear the expense of transporting the colonists and furnishing them with tools and provisions for beginning their work. The patroons became lordly, and almost regal in authority over the colony. The Dutch claimed all the land along the North

river (Hudson) and the South river (Delaware), and on these rivers lay the great estates.

100. Con-
ditions in
New
Netherland
— 1630

The Dutch were thrifty and shrewd; they attended to business in season and out of season. Their colonies were planted on a fertile soil and in a favorable climate. Politics and theology were old world matters which in the new country did not absorb them quite all the time. Their colonies flourished. Immigrants came from many quarters — from north and south, and from beyond the sea. It is said that in 1643 eighteen languages were spoken in New Amsterdam.

The patroons were wealthy and defiant of authority. Individual members of the company acquired immense tracts of land and became almost feudal in their thought, their purposes,

and their power over their tenants. This attempt to renew the institution of a past age continued for more than a hundred years. The fortunes of many rich New York families were begun by these rich patroons. The tax riots in New York two hundred years later resulted from efforts to collect back taxes on the Van Rensselaer estate. The patroons cared less and still less for the rights and welfare of their tenants, in this respect repeating the history of other landlords of early times.

The company began to reform conditions by greatly reducing the sizes of the land grants, and by forcing upon the patroons a form of local government in which the colonists themselves had a hand. Many Englishmen had found their way into the Dutch colony, and the undemocratic condition grated upon them. It was impossible for them not to have heard of the house of burgesses down in Virginia, and of the selectmen and town meeting in Plymouth.



PETER STUYVESANT

After the portrait in the possession of the New York Historical Society

In 1641 the colonists compelled Governor Kieft to call a council of twelve deputies from the settlements to consult with him about the treatment of the Indians and about taxes. Later, Governor-General Stuyvesant selected a council of nine from a list nominated by popular vote; and thus representative government began in New York.

Some Dutch immigrants had gone as far south as the Delaware river, which they called the South river, and had made their settlement at Nassau, on the Schuylkill, near the site of Philadelphia. These people were almost annihilated by the Algonkins, and the remnant joined with others in obtaining a charter from Sweden (117), hoping for better protection than the

101. Clash
of the
Dutch and
Swedes

mercenary Dutch had afforded them. "The South Company of Sweden," 1636, sent out a colony under Peter Minuet, formerly a Dutch governor, the genius who had bought Manhattan island from the Indians for twenty-four dollars. Minuet built a fort, which he called Christina in honor of the Swedish queen, on the site of the future Wilmington.

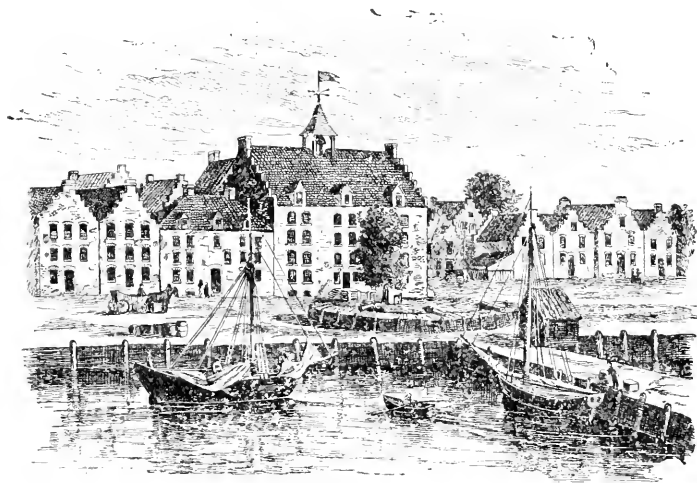
Governor-General Kieft with great awkwardness brought on a disastrous conflict with the Algonkins, and Governor Peter Stuyvesant, he of the "wooden leg and bad temper," disputed the rights of the English on the Connecticut river, but in the time of the New England Confederation he learned his error (141). He deserves military honors, however, for capturing Christina, and political credit for obliterating the Swedish claim to the country.

**102. New
Netherland
becomes
New York
under the
English**

In 1664 King Charles sent a fleet to demand the surrender of New Amsterdam. The thrifty colonists were tired of the warlike governor "who strutted like a peacock — as if he were the Czar of Muscovy," and they frankly informed him that he must surrender. In fact, these good people seemed to care little who was pope or king so long as trade was brisk, and crops were bountiful, and Virginia sent them good tobacco; so the conquest of New Netherland was bloodless. The king gave the territory to his brother, the Duke of York; hence the name. Fort Orange was anglicized so far as to change its name to Albany, from another duke and another brother. Colonel Nicolls, who had captured the Dutch fort, was made governor, and promulgated rules of government, known as the "Duke's Laws," which provided for town meetings and elections, a constable, and eight overseers; and for the county meeting, to look after taxes and other matters of important general interests, all to be supervised by a sheriff. The people were industrious, and they confined their industry to sane pursuits. Therefore they prospered, for they were under fairly liberal laws; there was the beginning of self-government in the "riding," or county, yet above this, so far as they were concerned, every power was absolute.

The king had given a part of the territory — the part that afterward became New Jersey — to his favorites, John Berkeley and George Carteret, two of the proprietors of the Carolinas. Such transfers of ownership of great bodies of land had inevitably confused land titles and brought other annoyances. So, when the Dutch fleet appeared before New York in 1673, the settlers were quite willing that their old rulers should return to power;

103. Permanent cession of the colony



THE STADTHUYS, NEW YORK, 1679

After Brevoort's drawing. ("Stadthuys" is Dutch for "statehouse.")

the town rejoiced, and the fort surrendered without resistance. It was little more than a year, however, until the treaty of peace, signed at Westminster for England and Holland, stipulated the cession of New York to England; and with this permanent acquisition England's possessions on the North American coast were continuous from Maine as far south as Florida.

At the time of the extinction of the Dutch political power, there were about seven thousand people in New York, along the Hudson and Mohawk rivers, on the farms, and in the camps of pioneers and trappers. Thrift was apparent on all sides.

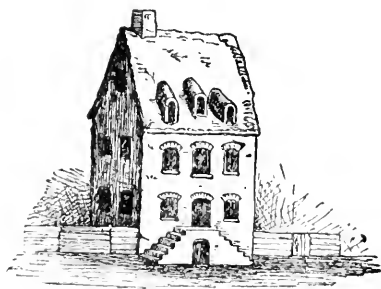
104. Governor Andros;
tyranny of
James II

Among the notable governors of the period may be mentioned Sir Edmond Andros, afterward prominent and even unpopular in New England (145). He encouraged thrift and enterprise, and exerted his influence on the side of the colonists in their controversy with Berkeley and Carteret concerning the disturbance of land titles. But at the same time he was a mere tool in the interest of the Duke of York, the owner, against the colonists. His opposition to Berkeley and Carteret, who were court favorites, cost him his office. He was succeeded by Thomas Dongan (1683). The pressure had become so great from the democratic tendencies of Virginia and New England that Dongan was compelled to call an assembly, elected by "freeholders and free-men." This assembly, with the king's consent, shared authority with the governor and council. Religious toleration was established by law; all taxation required the consent of the assembly; but the laws were of no force without the sanction of the duke.

The advantages gained, both in politics and religion, were temporarily lost when the Duke of York became James II of England, and immediately put an end to the assembly, and caused the Church of England to be established. In 1688 New

York was annexed to New England, with Andros as governor, and Francis Nicholson became something like a lieutenant-governor of New York under Andros.

105. Leisler;
his death —
1691



JACOB LEISLER'S HOUSE

Later, in 1688, Jacob Leisler, a rough German ex-soldier, raised a company and drove Nicholson out.

Leisler ruled the colony vigorously and awkwardly for three years. His administration was signalized by the meeting of the first colonial congress which took place in New York in February, 1690. This convention was called mainly to devise

ways and means of defense against the French and their Algonkin allies, who had become very troublesome in their attacks on English settlements; this was the time of what was called King William's war, in which occurred the burning of Schenectady and of Salmon Falls.

In 1691 the first royal governor, Colonel Slaughter, compelled Leisler to give up the office. In a drunken debauch Governor Slaughter yielded to the persuasion of Leisler's enemies and had him executed. Leisler had been too democratic.

A new assembly was called and a degree of liberty was again restored. But progress was slow, owing to the disgraceful administration of Governor Fletcher, who was paid by pirates for harbor privileges, and who generally invited and accepted bribes. In 1698 the Earl of Bellomont was appointed governor, and again New York was placed under a governor with New Jersey, Massachusetts, and New Hampshire. Bellomont died in 1701.

106. Improved conditions; Bellomont

The century closed in this wholesome administration, with the colony prosperous materially and enjoying a degree of self-government. When New York should be blessed with free local institutions was only a question of time.

NEW JERSEY

The Duke of York granted to his friends, Lord John Berkeley and Sir George Carteret (**103**), a great part of the peninsula between the Hudson and Delaware rivers; and it was named New Jersey. The territory included the old Dutch settlement of Nassau, while along its borders the Dutch, Swedes, and English had settled under authority of patents issued by three governments.

107. The New Jersey colony and its government

Profiting by the experience of older colonies, New Jersey organized a government consisting of a governor, councilmen appointed by the proprietors, and an assembly elected by popular vote. The power to annul a law was, however, reserved by the proprietors. Freedom of worship was allowed. Philip Carteret, nephew of Sir George, came out as governor.

108. The
Jerseys
divided

Because of great troubles in the colony between the proprietors and the people on account of quit-rents (91) Berkeley sold his interest to some members of the Society of Friends, or Quakers. In 1676 Sir George Carteret and the purchasers of the Berkeley interest agreed upon a boundary line "drawn from Little Egg harbor on the Atlantic coast, to a point not far from Minisink island in the Delaware river." The seat of government for East Jersey was Elizabethtown; that of West Jersey, Burlington. There was now very liberal government.

109. The
Jerseys
practically
united under
Penn

West Jersey passed into the hands of William Penn and other Quakers; and, after the death of Sir George Carteret, East Jersey also was purchased by Penn and a few associates of different creeds.

In 1688 the proprietors surrendered to the king all rights in respect to government, but retained their rights to the lands. Sir Edmund Andros, governor of so many colonies (145), had a claim to New Jersey also as part of his jurisdiction, but he gave the people no trouble. In 1702 the proprietors surrendered all claims, and New Jersey became a royal province. It had its own assembly, but no governor until 1738, being under the governor of New York, who appointed a deputy for New Jersey.

110. New
Jersey a
royal
province

When royal authority took control, the king's representatives organized a government resembling in some particulars that which had previously existed. Freedom of worship was allowed to all, but Catholics had no political rights; and only freeholders of two hundred acres of land, or those owning property valued at fifty pounds or more, were permitted to vote.

The population was composed of people from many lands. Besides the Dutch and the Swedes, immigrants had come from England and from New England, while troubles at home had caused many Scotch Presbyterians to come to New Jersey. Aggrieved or persecuted men with their families came from other colonies. The climate was mild, the soil was rich, the waterways gave promise of a great commerce in the future, and the government was liberal; everything conspired to make New

Jersey a state that would be limited in power only by the narrowness of its boundaries.

PENNSYLVANIA

The founder of Pennsylvania was the son of an English ad- **111. King**
 miral. While he was at school he became imbued with the **Charles**
 spiritual idéas of the Quakers, a new religion propagated by **sells**
 John Fox, to the great displeasure of the admiral, his father, who **Pennsyl-**
 endeavored to dissuade the boy; but through **vania for**
 all his life William Penn held stoutly to the **\$75,000**
 two cardinal tenets of his religion: the right
 of the individual to perfect freedom, and the
 duty of the individual to follow the "inward
 light," or his conscience.

At the death of his father, Penn found
 himself heir to a claim on the English crown
 for £15,000, a loan with which the admiral
 had favored Charles I when that monarch
 was in dire necessity. Charles II was now
 on the throne, and Penn solicited the pay-
 ment of the debt, not in money, which he
 knew the profligate king would refuse from
 inability to pay, even though he were will-
 ing, but in lands in the American wilderness, and he found his
 debtor not averse to a settlement that cost nothing.



A QUAKER OF THE
17TH CENTURY

Penn had previously, and charitably, become interested in **112. Bound-**
 the Jerseys (**109**), and in offering the bargain to Charles, he had **aries of**
 in mind the settlement of a great colony where soil and gov- **Penn's**
 ernment should be a refuge for the distressed, not only of his **purchase**
 greatly persecuted brethren the Quakers, but of all mankind,
 regardless of creed. So Penn became proprietor of what he
 wanted to call Sylvania, but to which the king — charming in
 a personal way — prefixed Penn in spite of all protest.

The land thus granted in 1681 was bounded south by the
 fortieth and north by the forty-third degree of north latitude,
 and it stretched westward from the Delaware for five degrees

of longitude — a country greater in agricultural possibility than England itself. The boundaries of this imperial domain were not surveyed, and of course trouble arose afterward.

**113. Penn's
purchase of
the lower
counties;
immigration**

In order that he might have a good outlet to the sea, Penn bought from the Duke of York a large body of land farther south, and on the west side of the Delaware river and bay. This territory had already been settled to some extent by Dutch and Swedes; later, it was divided into three counties.



REDUCED FACSIMILE OF PART OF THE ROYAL DEED GIVEN TO PENN

In publishing his plans, Penn made a strong effort to induce the persecuted Quakers to settle in his colony, but others also were invited. His land was offered at very low rates, about ten cents an acre, and on very liberal terms.

Immigrants came rapidly to Pennsylvania, the land where freedom was proclaimed — freedom in government and religion, and proclaimed by a man in whom the immigrants could have utmost confidence. Penn himself came over in 1682 with a hundred settlers, and in that year founded Philadelphia.

**114. Penn's
liberal
government**

Penn's form of government, which would now be called a constitution, provided that the people should elect both assembly and council, the proprietor appointing the governor. Thus he put to the test his belief in the ability as well as the right of the people to govern themselves. No one could be a citizen, however, who did not believe in God; and no citizen could hold office unless he professed the Christian religion. The punishment of criminals was to be a means of saving them, not a means of retaliation. Children were to be taught useful employment, and the Indians were to be treated fairly, honestly, and kindly.

In 1684 Penn returned to England; and he remained away from his colony for fifteen years. In his absence his affairs in the colony were administered by governors whom he appointed. These years were prosperous. The cheap land, the bountiful harvests, the liberal rule, all combined to attract settlers. Dutch, Germans, Swedes, Welsh, Englishmen, and men from other colonies came to the land of liberal things.

On his arrival in the colony in 1699, Penn assembled the chiefs among the Indians and smoked the peace pipe, and began a friendship that was abused but rarely. Indeed, Pennsylvania, until the English themselves stirred up the redmen in the time of the Revolution, was notably free from violence on the part of either race toward the other. Penn's Indian policy was no less astute than it was humane.

The boundaries named in Penn's grant, unmarked as they had been in any actual survey, could not be satisfactory to the increasing population in its demands for homes. The southern boundary especially was confused on account of the grant to the Calverts. Moreover, the Swedes and the Dutch down the bay contended that their land had never been Penn's because it certainly was not in the charter from Charles II. The dispute as to the boundary between Penn's colonies and Maryland was not settled until 1732, when the heirs of Penn and of the Calverts agreed upon the present boundaries of Pennsylvania, Maryland, and Delaware. Part of the line was "run" by two English surveyors named Mason and Dixon; and their names seem immortalized in the political nomenclature of the Union.

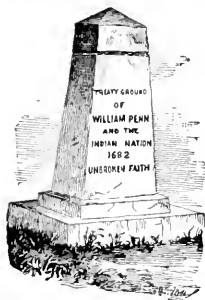
115. Prosperity; Penn's Indian policy



WILLIAM PENN

116. Mason and Dixon's line; the Charter of Privileges

In 1701 Penn framed his Charter of Privileges, which, with respect to the council and the election of the assembly, placed



PENN'S TREATY
MONUMENT

the government on about the same basis as those of the other Middle colonies; and then he required that all laws should be approved by the proprietors. As in New York, so in Pennsylvania, the government was a blending of the town government of New England with the county government of the Southern colonies.

At Penn's death, the heirs fell into rancorous contention and lawsuits, which lasted until the Revolution settled them.

DELAWARE

117. Early settlements

Henry Hudson, a week before he entered New York harbor, had sailed up Delaware bay, searching the shores for the hoped-for strait that would lead him through an isthmus into the South sea; and though he found no great waterway, he gave the Dutch a claim to the country. It is possible that Thomas West, Lord Delaware, the governor of Jamestown, explored the bay in the year following Hudson's visit, for his name was given to it.

A small Dutch colony came out in 1631, and after purchasing land from the Indians, settled at what they called Swanandael, on the west side of the bay, not very far above Cape Henlopen. Before the end of the year they were all slain by the Indians.

The first permanent settlement on the west side of the Delaware was effected by Peter Minuet, a Hollander, with a company of Swedes. Minuet, after serving as governor of New Amsterdam, had returned to Holland, and thence had gone to Sweden, where he succeeded in reviving an old colonization scheme of Gustavus Adolphus. Under the patronage of Queen Christina, Minuet, with a colony of more than fifty persons, sailed from Sweden in 1638 and settled in what is now the state

of Delaware. To honor his queen he called his fort and town Christina. Minuet bought land from the Indians, and thus, according to Roger Williams's theory, had a far better right to the country than either the Dutch, whose claim was based on Hudson's discovery, or the Calverts, who claimed the territory as part of their grant from King Charles I.

Of course, the Dutch at New Amsterdam protested; but more Swedes came out to Delaware, or New Sweden, and they went so far as to build a trading post on the east shore.

118. Conflict of the Dutch and Swedes

These earliest colonies, Swede and Dutch, were more interested in the fur trade with the Indians than in agriculture. The unsettled shores of Delaware bay, with all its arms and inlets, caused mutual jealousy of Dutch and Swedes, while the furtraders among the English of Calvert's colony became obnoxious to both New Sweden and New Amsterdam. "The only measures in which the Dutch and Swedes could unite harmoniously in carrying out were such as would keep the English from gaining a footing on the river." But while trade was growing, the colonists continued to come, and farms were laid out, and permanent occupancy seemed assured.

Then Peter Stuyvesant thought it was getting high time for him to step in (**101**), and the result was that after a fortnight's campaign Fort Christina fell into the hands of the Dutch, and the Swedish colony, as a political body, became extinct.

When William Penn obtained his grant and began his settlements in Pennsylvania, he bought Delaware from the Duke of York, and it became known as the "Lower Counties," "the Territories," "the Delaware Hundreds," etc. The people here never took kindly to Penn's government and were troublesome. They were separated and reunited once or twice during Penn's experiences up to 1703, when Delaware was given a separate assembly, though it remained under the same government with Pennsylvania until the Revolution. For a long time it was more Lutheran than Quaker, and more Dutch than English in sentiment and social life.

119. Political conditions

Political conditions in the Delaware colony depended largely at first on the Dutch power in New Netherland and afterward upon the more modern influence of Pennsylvania.

SUMMARY

New York was settled by the Dutch about the time the English settled at Jamestown and at Plymouth. The settlers were essentially commercial by nature and were well situated geographically for the development of business enterprises. The Dutch patroons accumulated vast wealth and laid the foundation for great estates which have figured prominently in later years. The colony fell into the hands of the British in 1664. In population it was cosmopolitan almost from the beginning, while in government it partook of the nature of its New England neighbors on the one side and its Southern neighbors on the other. As a matter of fact, government and religion were not primary factors with the shrewd business men of the Hudson valley.

New Jersey was settled a half-century later by the Dutch, the Swedes, and immigrants from the other colonies and England. As in New York, politics was secondary to business, though it often exhibited leanings toward democracy.

Pennsylvania, founded by the Quakers in 1681, grew very rapidly under a well executed scheme of colonization, and in less than a quarter of a century it had a population of twenty-five thousand English, Welsh, Scotch-Irish, German, Moravian, and other inhabitants. It was liberal in both politics and religion and was generally associated with Delaware which had been granted to Penn in 1682 by the Duke of York.

REVIEW QUESTIONS

1. What factors in the early life of New York may be seen in her present life?
2. If Henry Hudson had accomplished his purpose, would New York have been settled by the Dutch?
3. Is there any evidence today that the Dutch once occupied New York?
4. Do you know of a piece of American literature that has for its background Dutch life in New York?
5. Can you think of some feature of New Jersey's government that showed the influence of neighboring governments?
6. Should you like to live in a state in which the conditions for voting were the same as those in New Jersey?
7. Why did Pennsylvania grow so rapidly from the first?
8. Discuss two very prominent traits of William Penn's character.
9. How was the Mason and Dixon line established?
10. Why did not the Middle colonies develop a distinct type of government of their own?

CHAPTER VII

THE NEW ENGLAND COLONIES

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ILLUSTRATIVE MATERIAL. — Longfellow, *Courtship of Miles Standish*; Hemans, *Landing of the Pilgrims*; Whittier, *The Garrison of Cape Ann*; Longfellow, *John Endicott*; Webb, *The Pilgrims of New England*; Seaton, *Romance of the Charter Oak*.

ATTEMPTS AT SETTLEMENT

In the year Jamestown was founded, the Plymouth company sent to the mouth of the Kennebec river a colony of more than a hundred people under the immediate direction of George Popham. The winter was severe and the Indians were hostile. Many of the settlers died; others were disappointed, even in despair. The leaders lacked courage, and the colonists themselves lacked fortitude. They had not come, but they had been sent, to found a colony. As a consequence, those who survived the winter were glad to return to England in the following spring.

In the interests of English traders and merchants, Captain John Smith, in 1614, visited the coast of north Virginia, to which he gave the name New England. He brought back a cargo of fish and furs, and his success stimulated other explorers, who gained knowledge of the country and further developed the fish and fur industry.

**120. The
Kennebec
River
settlement
— 1607**

**121. John
Smith
names New
England —
1614; the
Gorges
charter
— 1620**

In 1620 Sir Ferdinando Gorges and about forty associates applied for a charter and obtained a grant to all territory from sea to sea lying between the fortieth and forty-eighth parallels north latitude. The terms of the charter, extremely liberal,

gave exclusive rights in trade and in administration. The grantees, however, were apparently unable to make a successful permanent settlement, and were on the point of failing altogether when a crisis in England brought unexpected help to the company.

CONDITIONS IN THE MOTHER COUNTRY

122. Religious feeling; the Puritans

In studying the primal sources of American life it was found that Europe was undergoing a marvelous democratic movement (13), and that this movement was making itself felt in every phase of action and of thought. In England one important result was the separation of the Church (1534) and the establishment of the independent English Church. To this new organization a majority of the English people belonged, particularly the rich and the official classes. But there were many who objected to the formalism still retained, and demanded a greater degree of spirituality and less of ritualism in their worship. In their revolt against medieval conditions this class had gone farther than their brethren. They were part of the advance guard in that great army of reformers who for nearly a century had abandoned medieval habits of thinking and feeling. Because they wished to purge the Church of what to them seemed corrupt practices they were given the name of Puritans, but the Puritans were divided into two classes — conformists and nonconformists, or conservatives and radicals. The former class wished to purify the English Church by remaining within it, while the latter, sometimes called Dissenters, unable to work conscientiously within the Church, withdrew from it and formed congregations of their own. Moreover, the Dissenters were of two kinds — the Presbyterians (followers of Calvin, Knox, and Zwingli) and the Independents (also called Separatists and Brownists).

123. The king's intolerance

Under Elizabeth's judicious home policy and under the stress of foreign complications, the religious differences had been kept somewhat in the background, but no sooner had James I come to the throne than all the discordant elements of English

society began to be active. In the Hampton Court conference (1604) James gave everlasting offence to the Puritans, who had expected lenient treatment at the hands of the new king. With the same indiscretion he offended the Catholics and other religious bodies. Thoroughly bigoted, both by nature and by training, and unable to interpret the changing needs and wishes of his people, he came early into conflict with his Parliament and with all the advanced thought of the time. The people had borne with Tudor despotism for a century, because of poverty and oppression due to the previous long period of feudal wars, and because foreign relations demanded a strongly centralized government. Now that England had established herself as the first of the Protestant states, and by the same stroke had won the commercial supremacy of the sea, she was free to follow her own racial instincts in matters of religion and government.

In the economic field, also, there was ground for dissatisfaction. True, the material conditions had been improved greatly in the time of Elizabeth, and with the increased enlightenment of the age people were unwilling to tolerate much that they had previously considered inevitable. The feeling of discontent and unrest which was everywhere manifest in religious, political, and economic affairs might have continued for a time without serious results if James had been as tactful as Elizabeth. But his imperious temper, his intolerance toward every movement that did not originate with the king, his despotic bigotry, and his continual blustering about his pet "doctrine of divine right" brought on a crisis in England that immediately led many self-respecting men to seek for better things elsewhere.

It was under the pressure of such conditions that the little Scrooby congregation of Independents sought relief first in Holland and later in America. The story of their sojourn in Holland and of their subsequent removal to New England is the familiar possession of every school child. We are more interested here in the manner in which they organized themselves and began the process of establishing their institutions.

THE PILGRIMS

124. Found-
ing of
Plymouth —
1620; the
"May-
flower"
compact

Contrary to their original purpose, they landed, December 22, 1620, in north Virginia within the territory granted in the early part of the same year to the new Plymouth company of Gorges and his associates (121). From this company they soon received a patent giving them the right to colonize and to trade. Thus the new Plymouth company was saved and the first permanent English settlement in New England was established.

In the meantime, naturally impelled to maintain order, and realizing perhaps that they were without the jurisdiction of the Virginia company where they had intended to settle, the Pilgrims, as they had styled themselves, drew up a compact, or agreement, by which they organized themselves into a body politic and began the institutional life of New England. The forty-one men on board the *Mayflower* signed this compact and elected Deacon John Carver governor of the one hundred and two settlers.

125. Forti-
tude of the
Pilgrims

The experience of the first winter is important chiefly in showing the temper of these first colonists. Poor housing, inadequate and unwholesome food, and the lack of sufficient clothing for a New England winter produced sickness. Governor Carver and about fifty other members of the colony died. Ordinary men would have given up in despair, but there was no weakening on the part of these zealous and hardy Puritans. They preferred even the hardships that bereft them of friends for a time to the restraints that denied them their liberties. In the following autumn they received recruits, replenished their food supply from the season's produce, built more log houses, and began to feel themselves very much at home.

126. De-
veloping
Plymouth

The years following the first winter were little less discouraging. The Pilgrims had been compelled, by lack of supplies and means of transportation, to receive into partnership a number of London capitalists. It had been agreed that there should be a common storehouse to which each man's labor was to contribute, and from which all were to draw the necessities

of life. At the end of seven years the assets of the company were to be distributed in proportion to the shares held. This rule naturally led to disputes between the colonists and their London partners, with the result that in 1624, in order to avoid actual starvation, each man was given one acre of land for his

In y^e name of god Amen. We whose names are underwritten, the loyall subjects of our dread soueraigne Lord King James, by y^e graco of god, of great Britaine, franc, & yreland king, defendour of y^e faith, &c
Having undertaken, for y^e glorio of god, and aduancement of y^e christian, and honour of our king & countrey, a voyagd to plant y^e first Colonie in y^e Northernd parts of Virginia. God by these presents solemnly & mutually in y^e presence of god, and one of another, Covenant, & combine our selues together into a Ciuill body politick; for y^e better ordering, & preservation & furtherance of y^e ends aforesaid; and by vertue hereof to enacte, constitute, and frame such just & equal Lawes, ordinances, Acts, constitutions, & offices, from time to time, as shall be thought most meete & conuenient for y^e generall good of y^e Colonie: vnto which we promise all due submission and obedience. In witness whereof we have hereunder subscribed our names at Cap^e Coddt y^e 11 of Nouember, in y^e year of y^e raigne of our soueraigne Lord King James of England, franc, & yreland y^e eighteenth and of Scotland y^e fifth & fourth. An^o Dom. 1620.

THE COMPACT DRAWN UP ON BOARD THE "MAYFLOWER"

A facsimile from the *History of Plimoth Plantation*, by Governor Bradford; in the State House, Boston, Mass.

exclusive use, upon condition, however, that his holding should return to the community at the end of the seven years. It is important to note that these parcels of land were clustered around the town, because of danger from the Indians and convenience to the church. This custom proved afterward one of the factors in developing the distinctive form of local government in New England, and eventually in giving color to civic institutions in America. At the end of the seven years, the colonists had accumulated enough through the fur trade with the natives to buy out their London associates and become independent of foreign control. Individual initiative developed

rapidly. New colonists of like spirit came; other towns sprang up around the original colony; population reached the three-thousand mark by 1643; and local industries furnished profitable employment to all who came.

127. Relations with the Indians

In her dealings with the Indians, Plymouth was more fortunate than most of the English colonists. A pestilence in the New England region had almost annihilated the natives about the future Plymouth, so that the Pilgrims found only one Indian near the harbor. He became their friend and proved a useful ally in the conquest of barren soil and icy waters. Likewise, the colonists had fortunate relations with Massasoit, chief of the tribe of Pokanokets, upon whose outlying lands the Pilgrims had settled.

128. An early democracy

In matters of government, Plymouth was from the beginning very democratic. A primary assembly chose the governor and his assistants until it became inconvenient for the voters of the new settlements to attend *en masse*. When this condition arose, in 1638, the representative system was adopted, perhaps under the influence of the system already in vogue in the Massachusetts colony (132). The general court thus established gradually acquired the right to make laws as well as to administer them, but the freemen continued to vote in local assemblies upon all matters of purely local interest.

129. Plymouth merged with Massachusetts — 1691

The colony made three attempts to obtain a charter, but failed each time. Finally, in 1691, after the revolution which placed William and Mary on the throne, she was merged with Massachusetts, and her later history is blended with the larger history of the combined settlements. The importance of Plymouth's influence upon American political and social life can scarcely be overestimated. As the oldest of the New England group she unconsciously offered forms and ideals for the others. From the beginning her people were practically free from royal interference, and hence worked out their own free institutions. By reason of their early hardships, and through the spirit of religious brotherhood, they learned the lesson of coöperation, which proved so useful to them and to all the colonists in their

struggles with the Indians and French, and later in their contest for independence. America owes a great debt to the sturdy, zealous Pilgrims who settled at Plymouth.

THE MASSACHUSETTS BAY COLONY

Some of the merchants in Dorchester, England, desiring to plant a settlement on the coast of Maine, sent out, in 1623, a group of colonists, who, as in the case of the Pilgrims, missed

130. The
Puritan
settlements

their landing place and settled at Cape Ann, the site of Gloucester. They failed, however, and after three years of disappointment most of the settlers returned to England, while the remainder moved to a site later known as Salem. In the meantime, the Stuart intolerance in England had led even conservative conformists to seek relief from tyranny. Accordingly, John White, rector of Trinity



JOHN ENDICOTT

church, Dorchester, began "raising a bulwark against the kingdom of Antichrist" in New England. In 1628 a patent was obtained from the Plymouth company to a strip of territory almost sixty miles in width, extending from three miles south of the mouth of the Charles river to three miles north of the mouth of the Merrimac, and westward from these points to the South sea. In the same year John Endicott brought sixty recruits to the colony of Salem, and in the next year King Charles granted the patentees a charter providing for annual popular elections, for a primary assembly, and for the enactment of laws in conformity with English laws. Since the charter did not stipulate that the seat of government should be in England, the Massachusetts Bay company, seeing that political and religious conditions in England

were becoming worse from day to day, decided to transfer its powers to such of its members as would emigrate to America. Accordingly, in August, 1629, many prominent Puritans formally agreed to leave England and make their homes in Massachusetts, and thus the English trading company was changed into an independent American colony.



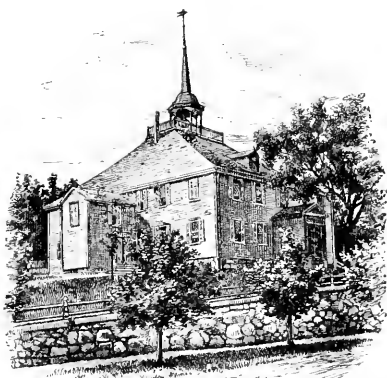
REDUCED FACSIMILE OF THE HEADING, SIGNATURE, AND SEAL OF THE MASSACHUSETTS CHARTER OF 1628-1629

The company was composed largely of uncompromising Puritans, whose ability and energy supported a courageous devotion to principles. A majority of these men were broad-minded and well educated, and their ideals in religion and politics were far in advance of those of the average Englishman. They were not Separatists in principle, but they soon became so in act. Far removed from the influence of the mother church and already out of sympathy with much of its ritualism, the Massachusetts Bay settlers soon became as independent as the most radical Puritans. They early abandoned the prayer book and established "congregational" churches, which bore many of the distinguishing marks of Calvinism. They gave impetus to the development of local institutions under genuine English instincts.

In 1630 the colony was reënforced by one thousand immigrants, and during the decade beginning in 1630 probably twenty thousand Englishmen, impelled by the conditions prevailing in England at the time, landed on the shores of Massachusetts.

131. The great immigration — 1630

The struggle of the Stuarts with Parliament over the nation's purse and the conflict between Puritanism and Episcopacy had reached a crisis. The Petition of Right, 1628, which sought to stay the hand of despotism and give English citizens greater security of life and property, was ruthlessly invaded by the king in 1629. Parliament was dissolved, the leaders were sent to the Tower, and Charles I began his personal rule, which lasted until 1640, when his war with the Scots forced him to summon Parliament and ask its aid. The period of Puritan supremacy now began in England, and the tide of emigration really turned from America back toward the mother country. But in the meantime, Massachusetts, Rhode Island, Connecticut, and New Haven had been firmly established by



MEETING-HOUSE AT HINGHAM, MASS.
ERECTED IN 1681

From Winsor's *Narrative and Critical History*

men who feared God and loved liberty. In England the issue between despotism and freedom possibly hung in the balance for another hundred years, but in America, after 1640, there could be no doubt as to the outcome.

According to the charter, the stockholders of the corporation had control of the government, but in 1631 it was decided that the franchise should be granted only to church members. These, together with the governor, were to meet quarterly in primary assembly. It was not long, however, before the free-

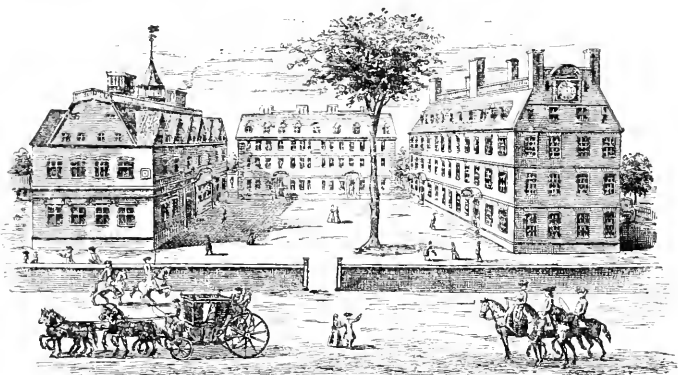
132. A representative government

men of the neighboring towns found it inconvenient to attend the assembly; accordingly the assistants were empowered to choose the officers and to make the laws. In the same year the assistants were granted the privilege of holding office indefinitely, subject only to recall by the freemen. This looked too much like autocratic rule to the freemen of Watertown, who now declined to pay a tax levied by the body of assistants, on the ground of taxation without representation. When the matter came before the general court, the Watertown contention was sustained and a representative assembly was established (1634). Naturally, the plan of the English Commons was adopted, two deputies being sent by the freemen of each town, and the governor and his assistants taking part in the deliberations. In the same year, voting by ballot was introduced, and ten years later the plan of having two chambers, or houses of legislature, was adopted. Thus the "assistants" were an upper house, or Senate, and the deputies, a lower house. In 1636 Lord Say and Sele and Lord Brook proposed the establishment of hereditary nobility in the parliament, but the settlers rejected the proposal; they wished for no conditions such as they had so recently escaped. Again, in 1638, it was proposed to set up a permanent council for the government of the colony, and again the freemen refused to accede. It is worth while to note once more how often and how persistently these sturdy, God-fearing New Englanders asserted the principles of self-government. The democratic character of the colonists is nowhere better shown than in their relation to the mother country during the first decade.

133. Prosperous, intelligent, and determined democrats

Population increased, and wealth grew rapidly, owing to the profitable fish, lumber, and fur industries, and the coastwise trade with the colonies. Commodious dwellings were beginning to take the place of log houses, roads and bridges to be constructed, the stock industry to flourish, and the air of progress to stir everywhere. In 1636 £400 was appropriated for founding a college at Cambridge to the end that "the light of learning might not go out, nor the study of God's word

perish." Two years later Reverend John Harvard added £800 to the sum first given, and the college was named in his honor. News of this material and intellectual development, and reports concerning religious independence in the colonies, aroused the jealousy of some people and the suspicion of others, and led the English government to revoke the charter of Massachusetts. Accordingly, a royal commission of twelve men was sent over to receive the charter, but the men of Massachusetts refused



"A PROSPECT OF THE COLLEDGES IN CAMBRIDGE IN NEW ENGLAND"

After an early picture in the possession of the Massachusetts
Historical Society

to lay their charter before the privy council as demanded and prepared to resist the authority of the commissioners by force of arms. They fortified numerous posts, established arsenals, drilled militiamen, and prayed for divine guidance. In the meantime, the English government officially declared the Massachusetts charter null and void and imprisoned her commissioner Winslow, who had been sent to make peace with the authorities. Another order for the surrender of her charter followed, but was likewise disregarded by Massachusetts. The king was now having so many troubles of his own in trying to rule without a Parliament that he had neither time nor money to spend in suppressing defiant colonists three thousand miles away.

RHODE ISLAND

134. Roger
Williams
and
religious
freedom

But determined as the Puritans were in resisting despotic authority, they were no less determined in maintaining uniformity in their own institutions. This fact is exemplified in the familiar stories of Roger Williams and Mrs. Anne Hutchinson. Williams was an educated Puritan minister, who emigrated to Massachusetts in 1631. As pastor he immediately opposed the policy of restricting political privileges to church members. He went further, and opposed the union of church and state in any form. He declared to the Plymouth colonists that the king had no power to grant land to them, and that the only righteous way of obtaining land in the New World was through purchase from the Indians. He denounced compulsory attendance at church and refused to accept enforced contributions to religious purposes. For these advanced views he paid the penalty of banishment. When Williams heard of the intentions of the magistrates to send him to England, he fled to the woods with five associates and founded the town of Providence, just south of Massachusetts. In keeping with his doctrine, he "bought the land" of the Indians and established his colony on a political and religious basis broader than that of any other American colonial government. Catholic Maryland had previously set an example to the colonies in the toleration of Dissenters; and now Rhode Island, through the wisdom and statesmanship of Roger Williams, gave the whole world an example in the establishment of a state in which a man's religion in no way affected his political rights. If the separation of church and state, naturally resulting from the doctrine of religious freedom, and if the giving of a distinctive character to American institutions have any virtue, then the people of the world, and especially those of the United States, owe a debt of gratitude to the heretic of Salem.

135. Mrs.
Anne
Hutchinson

But Roger Williams did not have the exclusive honor of founding Rhode Island, for through eagerness to maintain uniformity of doctrine and worship, Massachusetts had exiled an-

other religious agitator, Mrs. Anne Hutchinson, whose teachings were perhaps somewhat like the modern doctrine of a sinless life. At any rate, she was not orthodox in New England, although she was received with favor by such distinguished ministers as Cotton, Hooker, and Wheelwright. She was looked upon as a disturber of the peace and an enemy of the state, and was consequently placed on trial as such, and, upon conviction, was banished from the colony in 1637. She went to Rhode Island, and with her followers and the assistance of Williams, founded the two towns of Portsmouth and Newport. In 1644 all the settlements in that region obtained a charter from the Long Parliament through the agency of Williams, and were incorporated under the name of "Rhode Island and Providence Plantations."



STATUE OF ROGER
WILLIAMS AT PROV-
IDENCE

Massachusetts had secured her desired uniformity and public order, and thereby increased immigration, even if she did not grant what she demanded for herself — the right of free worship.

CONNECTICUT; NEW HAMPSHIRE; MAINE

In the meantime, however, dissatisfaction had grown in Massachusetts concerning her narrow political policy; and in 1635 a party of emigrants went overland to the Connecticut valley and founded the towns of Hartford, Windsor, and Wethersfield. Four years later these settlements sent representatives to a general court, and drew up a constitution known as "The Fundamental Orders of Connecticut." This document is important in many respects. It was "the first written constitution known to history that created a government," says Fiske. It did not seek authority from the king, from parliament, or even from Massachusetts, though she did give her consent. It provided for the simple administration of local government

136. The
Fundamen-
tal Orders
— 1639

in each settlement and for efficient means in transacting the business common to all. The general government thus created was modeled, naturally enough, after that of Massachusetts, but it carefully avoided making religion a test of citizenship. The great, far-seeing leader in this constructive piece of statecraft was Reverend Thomas Hooker, who announced that "the foundation of authority is laid in the free consent of the people" — a doctrine wonderfully prophetic of the familiar political utterances of twentieth century statesmen. Connecticut gave encouragement to education, cultivated a strict code of morals, maintained a policy of toleration in religion, and flourished under her republican institutions. In 1665 she was united with New Haven, which had been established in 1638-9 by Theophilus Eaton and John Davenport — two Puritan ministers from England, whose desire had been to found a state upon scriptural models. Henceforth the united colony took a place of importance in New England second perhaps to Massachusetts only.

137. Settlements in New Hampshire and Maine

Contemporaneously with the establishment of Rhode Island and Connecticut, settlers were going north from Massachusetts into the region afterward known as New Hampshire and Maine. Exeter and other villages formed a little confederation about 1638, but soon acknowledged the jurisdiction of Massachusetts and remained a part of that colony, with brief intervals, until 1691. Maine was first settled by emigrants from Plymouth in 1631, but its precarious separate existence terminated in 1652, when it was annexed to Massachusetts.

THE NEW ENGLAND CONFEDERATION

138. Motives for early union

Plymouth and Massachusetts were, in a large sense, the mother colonies, to whom the others looked for counsel, and from whom they received encouragement in their efforts at development. In religion and politics all were essentially democratic, while in industry and commerce each fed the others. They were one in blood and speech; they suffered the same hardships and confronted the same dangers. The French

pressed them on the north, and the Dutch were obstructing their expansion on the west. The Indians, usually friendly, were, nevertheless, to be watched; in 1637 the war with the Pequots had resulted in the death of hundreds of the colonists, while the Indians had harassed the region from one end to the other.

Under the pressure of these influences Connecticut suggested to Massachusetts, in 1637, the formation of a confederation of all the New England colonies. Massachusetts withheld her approval. In 1639, and again in 1642, Connecticut repeated her suggestion. By this time news had reached Massachusetts that King Charles I was again in serious trouble with parliament and with the Puritans. The danger that might come to New England from a royal victory in the motherland was the final factor in leading Massachusetts to accept Connecticut's suggestion. In 1643 Plymouth, Massachusetts, Connecticut, and New Haven formed the New England Confederation "for mutual help and strength." Maine and Rhode Island were left out of the "consociation" because of "a different course both in their ministry and in their civil administration."

139. The union of 1643; the Articles

The Articles of Confederation, from which extracts are given, show the character of the framers, and the spirit of the times, as well as the trend of governmental development:

ART. 2. The said colonies for themselves and their posterities, do jointly and severally hereby enter into a firm and perpetual league of friendship and amity for offence and defence, mutual advice, and succor upon all just occasions both for preserving and propagating the truth and liberties of the Gospel, and for their own mutual safety and welfare.

ART. 3. It is further agreed that the Plantations . . . shall each of them have like peculiar jurisdiction and government within their limits; . . .

ART. 4. It is by these Confederates agreed that the charge of all just wars, whether offensive or defensive, upon what part or member of this Confederation soever they fall, shall both in men, provisions, and all other disbursements, be borne by all the parts of this Confederation in different proportions according to their different ability. . . .

ART. 6. It is also agreed, that for the managing and concluding of all affairs proper, and concerning the whole Confederation, two Commissioners shall be chosen by and out of each of these four jurisdictions . . . being all in Church-fellowship with us, which shall bring full power from their several

General Courts respectively to hear, examine, weigh and determine all affairs of our war, of peace, leagues, aids, charges, and numbers of men for war . . . not intermeddling with the government of any of the Jurisdictions, which by the third article is preserved entirely to themselves. But if these eight commissioners when they meet shall not all agree yet it [is] concluded that any six of the eight agreeing shall have power to settle and determine the business in question. . . .

ART. 8. It is also agreed if any servant run away from his master into any other of these confederated Jurisdictions, that in such case, upon the certificate of one magistrate in the Jurisdiction out of which the said servant fled, or upon other due proof; the said servant shall be delivered, either to his master, or any other that pursue and brings such certificate of proofs. . . .

ART. 11. It is further agreed that if any of the Confederates shall hereafter break any of these present articles, or be any other ways injurious to any of the other Jurisdictions; such breach of agreement or injury shall be duly considered and ordered by the Commissioners for the other Jurisdictions, that both peace and this Confederation may be entirely preserved without violation.

140. Comment on the Articles; value of the Confederation

Very noticeable is the laxness of the federal bond, as well as the reserved power of local government. The representative idea is there and the equality is there — two commissioners from each colony. There is the provision for the return of fugitive slaves, without which provision the Articles could never have been agreed upon, for all the colonies had slaves at this time. There is the semblance of a confederate court, whose duty it was to settle disputes between the members. In the matter of representation there is disregard of the comparative strength of Massachusetts, which led her in 1653 to refuse to abide by the decision of the other confederates. There is the absence of any acknowledgment of royal or parliamentary supremacy.

The Confederation served as a rallying point and as a bulwark of strength to the New England colonies in their later struggles with the Indians. In 1652, by order of the general court, a colonial mint was established, which continued for thirty years to coin the pine-tree shilling. Indeed, the Confederation for nearly twenty years pursued a practically independent course.

But when Charles II came to the throne, there was a change **141. The** of policy toward the American colonies. Reports of the treat- **royal com-** ment of the Quakers and of "a design to throw off their depend- **missioners** — **1664** ence on England"; the reluctance of the New Englanders to proclaim the restoration; protection offered by New Haven and Hadley to the regicide judges; and a general indifference to English authority, led the king in 1664 to send over a royal commission "to dispose the people to an entire submission and obedience to the king's government." The four commissioners arrived in the summer and proceeded, with the help of Connecticut, to conquer New Amsterdam. Then they demanded that Massachusetts should comply with the king's requirements that "free-holders of competent estate" be given the right to vote and to hold office irrespective of creed and belief; that the Church of England be given the right to worship; and that the laws be administered in the king's name. But, unable to bring Massachusetts to terms, the commissioners returned home and found Charles too busy with the Dutch, who were now in a commercial war with England, to punish his obstinate subjects beyond the Atlantic.

Meanwhile Connecticut, whose diplomatic governor, Winthrop, had secured the favor of the king, was granted a liberal charter and received further benefit in the annexation of New Haven. Rhode Island, likewise, had been requited for the orphanage she had suffered at the hands of the Confederation, and rewarded for her treatment of the royal commissioners; the king's favor had granted her a charter similar to that of Connecticut. Under these charters the citizens enjoyed large liberty and the colonies were independent — subject only to the king as the court of last resort.

These events greatly weakened the Confederation, the federal court meeting only once every three years thereafter. Its coherency was further diminished by a series of Indian massacres from 1674-78, commonly known as King Philip's war. Whole villages were destroyed, hundreds of the whites were killed and many others were made prisoners. Much property was

142. Royal favors to Connecticut and Rhode Island

143. King Philip's war

destroyed and a heavy indebtedness of the Confederation incurred. The colonies had preferred to fight their own battles unaided by English troops, lest a precedent should be set for the maintenance of a royal army in New England.

144. Massachusetts suffers under the royal displeasure

The independent attitude of the colonists, their persistent violation of the navigation laws, and the evident desire of Massachusetts to extend her territory through the absorption of adjacent colonies, a disposition which was shown in her conduct toward New Hampshire in 1642, and later toward the settlements in Maine, led the king to take cognizance of the policies of the refractory colonists, and to renew his attacks upon Massachusetts.

In 1675 the management of colonial affairs was placed in the hands of "the Lords of the Committee of Trade and Plantations," a sub-committee of the English Privy Council. In the next year Edward Randolph was sent to Boston by the king as the bearer of a royal protest against the violation of the navigation laws; and he was commanded to uncover sufficient irregularities in Massachusetts to justify a suit for the benefit of her charter. His conduct was such that the people in Boston and throughout New England were greatly embittered toward the king, and the king, in turn, through Randolph, found plenty of the desired evidence of illegal conduct. In 1679 New Hampshire was made a royal province, and the king asked that Maine be given over to the crown. To none of his demands did Massachusetts give even diplomatic attention, and in 1684 her charter was annulled by a royal decree.

145. A tyrannical governor; end of the Confederation

Sir Edmund Andros was sent over as governor of Massachusetts, Plymouth, New Hampshire, and Maine, with instructions to proceed without regard to local institutions. Such absolute power was consonant with the despotic temper of the man, who now (1686) demanded also the charters of Connecticut and Rhode Island. The latter yielded without protest and when Connecticut refused to surrender hers, Andros annexed her without it. And now began the distinctively individual rule of the governor. Combining within himself the three powers

of government, he was maker, interpreter, and enforcer of the law. Congregational churches were used for Episcopal services; the colonial representative assemblies were ignored; the press was strictly censored; private property was seized, and the writ of *habeas corpus* suspended. In 1688 his jurisdiction was extended over the Jerseys and New York, and Andros was now despot from Maine to Maryland. Happily for the last named colony the "Glorious Revolution" in England interrupted the forfeiture of her charter, as it also put an end to the tyrant's rule over the whole region. The Revolution was no less "glorious" in the colonies than in England. William and Mary were duly proclaimed and the old charters restored, but Massachusetts received a new one from the king in 1692. While not so liberal as she no doubt wished, it restored many of her earlier rights and permitted the reestablishment of most of the local institutions on their former free foundation.



SIR EDMUND ANDROS
After the portrait in the State
Library at Hartford, Conn.

The New England Confederation was now completely broken up, but not until the attempt to consolidate most of the colonial governments under the direct control of the crown had been frustrated.

GENERAL CONDITIONS IN THE COLONIES

In all but two cases, the motive of the Europeans for plant-
ing colonies in America was purely mercenary. The Virginia
company, out of whose efforts grew Plymouth and Jamestown,
and from the former, New England, had in view the making of
money out of the gold that the Indians were supposed to possess,
or through the fur trade with the natives. A third commer-
146. The motives in colonizing

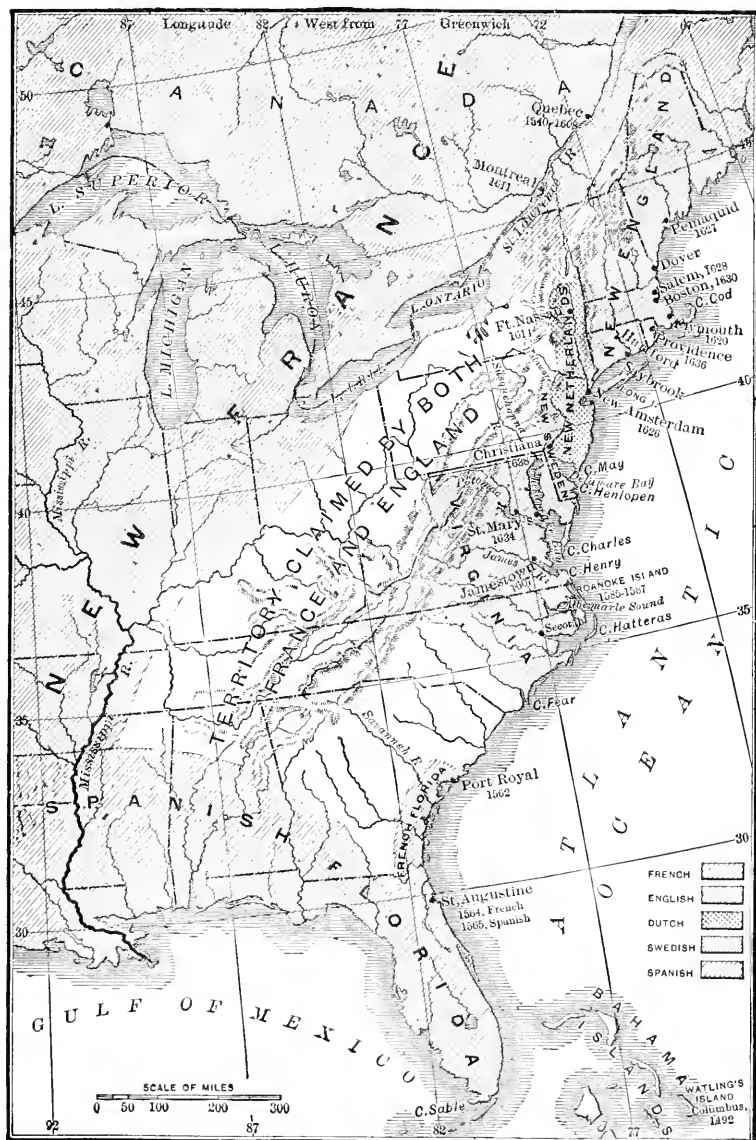
cial purpose was to find that short route to the East where so much rich treasure lay and for which every explorer sought. The story is a different one with William Penn and James Oglethorpe, whose motives were philanthropic rather than commercial. But when Pennsylvania and Georgia were settled the world had grown older and wiser through the experiences of more than one generation of men.

147. A
game of
kings and
pawns

The Virginia company was conceived, organized, and managed by shrewd financiers. Through losses and gains these men demonstrated that there was "big game" in the American woods. Princes and lords were not slow to learn the best preserves, and then "charters and governorships" became the stake in royal games of chance. In other words, as soon as it was seen that there was money to be gained, dukes, earls, and lords of all sizes were put on the governing boards, and kings paid their debts with grants of vast territories that had no value until redeemed from the wilderness by blood and toil. In almost every case, the common people — those who were to put their labor and their lives into the mill — were granted just as great liberty as was necessary to attract other settlers, and the said liberty was very skilfully diminished as the revenues were increased. And in the American wilderness the people necessarily grew in independence, as they repeatedly experienced the fact that their neighbor and not the king was a present help in time of need. Almost uniformly, the colonies soon became royal colonies. Not only through political importance, but also because of their constantly increasing profits derived, the king found them too great to be longer entrusted to even dukes and earls; he needed the royal revenues, and he was jealous of political power.

148. Eco-
nomic
conditions

Just as every great event in English or international politics was registered in the American colonies, so did the totality of social and economic life in the mother country cause corresponding effect in the settlements. Where cupidity impels, the weak must suffer; the penniless and the unfortunate on the streets of London were picked up for material as colonists. The hired



EUROPEAN COLONIES--ABOUT 1650.

man, and the tenant, thrown out of agricultural employment because of the contraction of farms to enlarge sheep ranches, and the soldier returned from foreign wars, hardly recruited in health and body for another adventure, were attracted by the colonizing schemes. To the poor man just released from prison, without friends or money, it was his chance to begin life anew. With such an aggregation of unfortunates, "the starving time" was a necessity. They had brought it with them. But a better class soon followed, and the quality of the immigrants improved until some of the best men of all lands, with their families, found their way to the New World and gave themselves to the making of a great people.

**149. A land
of religious
freedom**

As political conditions at home drove both Roundheads and Cavaliers to America, and as economic conditions drove the unfortunate to die quickly in the wilderness, so religious conditions drove men of strong mould and earnest conviction to make their homes in the land which they themselves might govern, and so religious sects of all lands sought "freedom" in the New World; and, in truth, in many cases unfortunately, the words "religious freedom" were interpreted to mean religious domination. Intolerance and bigotry were often covered beneath the seductive words "religious liberty." But common dangers, a common enemy on many a bloody field, and common suffering, resulted in bringing men to recognize the common rights of Man.

**150. Forms
of govern-
ment**

Let it not be forgotten that New England conditions of small holdings, among a homogeneous people, produced the town meeting, the nucleus of political life; while in the South town meetings were impossible. There, only the county meeting was large enough to justify the man whose farm contained thousands of acres, cultivated by "indentured" servants, hired men, and negro slaves, in getting into his sloop or barge and rowing to the court house landing.

The Middle colonies, having the benefit of Virginia's experience and that of Massachusetts on the north, combined the forms of New England and of the South in their own.

The Middle colonies were blessed with fine harbors, navigable rivers, productive soil and an agreeable climate; their advancement was assured, and their population increased rapidly. **151. Natural resources**

Navigable rivers, the fur trade, the grain exports from the Mohawk valley down the Hudson, and a delightful climate set the Middle colonies on the way to permanent prosperity.

By the close of the seventeenth century, the powerful Dutch colony and the promising Swedish settlements had lost their foothold forever, and the Englishman occupied the coast from Maine to Florida. It was not then an assured fact that the Englishman would evolve into the American and that Anglo-Saxon civilization in its development of English institutions should dominate the North American continent, and yet, the combined activities of the time could have no other result, God willing. **152. The Englishman dominant**

In a few years "New France" is numbered among the unrealized dreams of the Gallic statesman, and the Anglo-Saxon takes up his resistless march to the Golden Gate.

SUMMARY

After repeated failures to colonize New England, a small band of Pilgrims, seeking religious freedom, settled at Plymouth. This little colony maintained a separate existence for nearly a century and set the world such an example of Christian courage and purity of life as has been rarely equaled in the history of the world.

Massachusetts Bay Colony was established in 1629 by stanch Puritans. It grew rapidly from the beginning and soon became the leading colony in New England. It early developed a large measure of independence and gave the mother country more trouble than all the other New England colonies combined. In their attempt to secure uniformity of worship the colonists of Massachusetts Bay drove out Roger Williams and Mrs. Anne Hutchinson, who became the founders of the small but important colony of Rhode Island. The rapid development of the mother colony also led to the establishment of Connecticut, New Hampshire and Maine.

In 1643, perhaps the first step toward an American Union was taken in the formation of the New England Confederation. This organization protected the colonists from the Indians, taught them the lesson of coöperation, and made trouble for England until the close of the seventeenth century.

In all the New England colonies there was a general diffusion of democratic principles and a vigorous development of the towns as units of political organization.

REVIEW QUESTIONS

1. What two distinct influences working together brought about the settlement of Plymouth? 2. Which is more important to know, the number and names of the Pilgrims, or their character, thoughts, feelings, motives, etc.? Discuss. 3. What sort of influence did the Plymouth colony exert over her neighbors? 4. Account for the rapid growth of Massachusetts Bay from the first. 5. Were the colonists of Massachusetts Bay democrats in religion? 6. Relate two incidents that clearly show the spirit of freedom in the colony. 7. Why did not England suppress the development of free government in the colonies? 8. What form of local government developed in New England? Why? 9. What did Connecticut do when the mother country asked for her charter? 10. Do you see in the colonial history of New England any signs of greater trouble to come with England?



IN THE STOCKS

CHAPTER VIII

NEW FRANCE

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THE TRADERS AND TRAPPERS

On the American continent, at the beginning of the eighteenth century, the undisputed possessions of the French were immensely greater than those of the English. They owned the Great Lakes and around them, for thousands of miles in every direction, a region valuable for all natural products and rich beyond computation in potential development. How they had acquired the heart of the continent and how they lost it, when all is told, is a story that runs through almost three centuries. As early as 1534 Jacques Cartier saw the Gulf of St. Lawrence. In the next year he ascended the river as far as the first rapids, which he named for China, the object of every great navigator's hopes. Here he spent the winter, encamping on the "mountain island" which he named Mont Real.

153. Cartier; De Monts

Almost from the first the fisheries of Newfoundland attracted enterprise. The church, in its prescription of a fish diet one day in the week for all its adherents, furthered the prosperity of the fishermen. The trade in furs with the Indians became very lucrative, Canada being a region unequaled both in the numbers of fur-bearing animals and in the quality of their

pelts. Samuel de Champlain's first visit to the country was in company with fur traders in 1603. Not until seventy years after Cartier's discovery was there an agricultural settlement made, De Monts planting his colony in Acadia (Nova Scotia) in 1605. Three years later Champlain founded Quebec, when Jamestown was in the second year of its existence.

154. Cham-
plain at
Quebec;
Acadia

Samuel de Champlain, the leader of the colony at Quebec, properly called "the Father of New France," began at once to establish, according to French ideas, a paternalistic government, easy enough as an end within itself, but at the same time rendering the rapid development of a strong colony impossible, as later events amply proved. Unmarried men came to make their fortunes by finding gold or collecting pelts and returning to Europe, but families were very slow in coming. The distance was great, the region almost inaccessible, and the climate rigorous.

Champlain's high purposes were to convert the Indians to the Catholic religion, to extend his master's dominions, and to add greatness and glory to the French crown. The new colony was surrounded by the Algonkins, who controlled the valley of the St. Lawrence and the region to the west and northwest about the Great Lakes and beyond. Champlain cultivated the friendship of the Algonkins and made treaties with them. He believed that he would thus open the way to a rich trade in fur, which was now filling the Frenchman's horizon with prospects of great wealth, as gold had filled the imagination of English, Spaniards, and French at the far South. Such was the interest in this new business that, previous to this time, the king had granted monopolies to Chauvin to trade "in the new land of the far west" and to De Monts between 40° and 60° north along the coast, "for a part of the pelf."

Meanwhile, the settlers under De Monts, at Port Royal, in Acadia, differed in very many respects from those on the St. Lawrence. The history of the little colony is peculiar and pathetic. Occupying territory claimed by another country, the settlers were compelled to depend upon themselves against

the Indians and the English. Driven to think and act for themselves, they developed an independence and a power for self-government unusual in paternalistic New France. They established homes, built dykes, and cultivated the land, under the leadership of the priests, who gained supremacy in civil as well as in ecclesiastic affairs.

By 1670, two generations after Champlain had begun his arduous labors at Quebec, the French were setting their traps around trading-posts and hunting-camps hundreds of miles to the west and north. They had found the rich supply of beaver, otter, mink, and muskrat pelts on Hudson bay. But the English king, claiming the American continent, had granted that part of the Indian's land to the Hudson Bay company, whose

purpose was to engage in the fur trade. The charter, with provisions peculiar to charters of the time, gave to that company "all the land drained by rivers emptying directly or indirectly into Hudson Bay." One dollar invested in the fur trade was returning thirty to the proprietors in England. Of course Englishmen and Frenchmen thought the prize worth a contest, and there began the trouble which brought varying disasters by turns to one country and the other, and at length resulted in the overthrow of French rule in North America.



SAMUEL DE CHAMPLAIN

155. Beginning of the trouble with the English

MISSIONARIES AND EXPLORERS

The English soon held the region around Hudson bay, and the French sought new fields for their enterprise. Even as early as 1661 they had posts and settlements west of Lake Superior. The hunters and traders were accompanied and greatly aided by the Jesuit priests, who found no path so long,

156. Marquette on the Mississippi

no river so deep and cold, and no privation so great as to weaken their unconquerable purpose to assist in holding the country for their king and to convert the Indians to their religion. Up to this time, the Iroquois and the Huron Indians, implacable foes of Champlain's people ever since his wide-mouthed guns



JAMES MARQUETTE

"Who with Louis Joliet discovered the Mississippi River at Prairie du Chien, July 17, 1673." From the statue by G. Trentenove, in the Rotunda of the Capitol, Washington

157. Explorations of La Salle; French policy

first frightened them on the lake that bears his name, had kept the French out of the Ohio valley and away from the southern shores of Lake Erie and Lake Ontario, but now that the English had encroached on the north, the Frenchmen determined to explore the rivers flowing southward. Three years after the English had established themselves about Hudson bay (1673), Father Marquette in company with Joliet, a fur trader, following the route taken by Jean Nicolet whom Champlain in 1604 had sent to the Great Lakes by way of the Fox River and the Wisconsin portage, passed down the Mississippi as far as the mouth of the Arkansas, where tradition says De Soto had died one hundred and thirty-one years before. They became convinced that these rivers emptied into the Gulf of Mexico and not into the South sea, and began their arduous return to Quebec.

Through Marquette and Joliet France had now a strong claim to the Mississippi valley, but she was soon to have a still better one through the explorations of Robert Cavelier, Sieur de la Salle. Like other ambitious explorers of his time he was hunting for a passage to China, and thought he had found it when he first saw the Ohio River. This boldest, ablest, most versatile of the hardy spirits of New France had come to America

in 1667. Engaged in the fur trade, he was led to make explorations requiring the greatest courage and endurance. He explored the Ohio as far as the falls at Louisville. He went far westward also; and, hearing of the success of Marquette and Joliet, he determined to find the mouth of the great river. He was convinced that the Mississippi flowed into the Gulf of Mexico and not into the Vermilion sea. In 1682, after years of arduous toil and disappointments that would have deterred men of baser metal, his great desire to plant the standard of his king and the cross of his church at the mouth of the "Father of Waters" was gratified. Returning to France, he received a royal commission to colonize and govern the country, and in 1684, at the head of an expedition largely military, he sailed for America in order to carry out the royal purpose; he would land at the mouth of the river, explore the gulf,



ROBERT CAVELIER, SIEUR DE
LA SALLE

conquer the Spaniards and attach Mexico to France. After landing at Matagorda bay, on the coast of Texas, he built a fort and began seeking for a formidable Indian tribe to help him against the Spaniards. But there was no such tribe to be found, and this part of his enterprise was abandoned in time to save a few of his followers, but not to save himself. He was murdered by one of his own men in March, 1678.

La Salle's plan for holding the vast country had been to make a chain, each of the links a fort, to reach from the Gulf to the St. Lawrence river, either end of the chain in communication by sea with the French government. If he had lived, however, La Salle would have found his conception, princely though it was, visionary and impossible. The French policy was too narrow to stimulate vigorous colonial growth. Fur

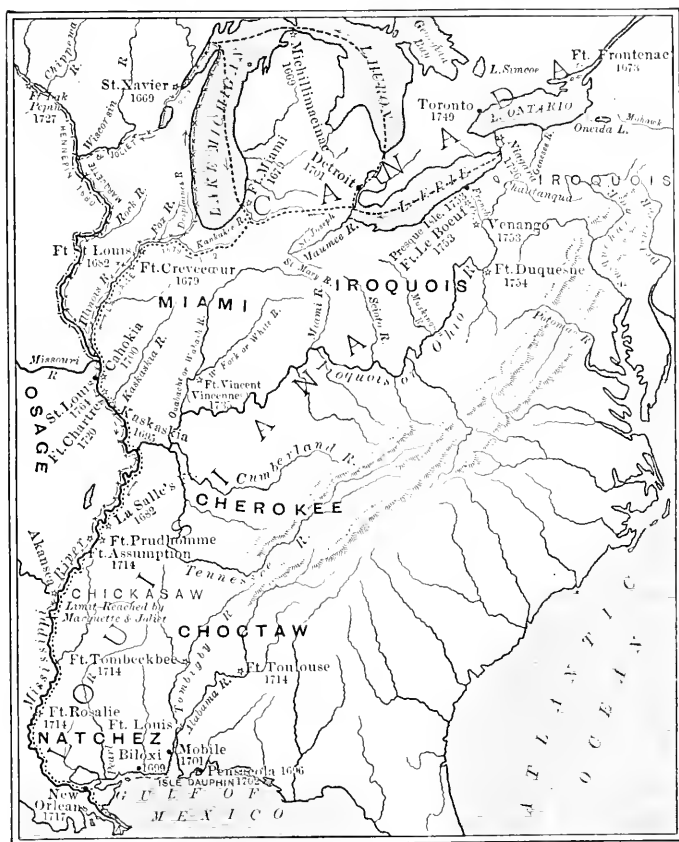
traders, missionaries, and soldiers without families did not increase the population very rapidly. The soldiers were courageous and the missionaries were faithful, but England's power was great, and she was saying that the French were intruders because John and Sebastian Cabot, sailing English vessels, had discovered the continent in 1497, and therefore the whole continent belonged to England. A contest was approaching and France was at a disadvantage, because of her poor access to the sea and her sparse population, in comparison with the power of the English. But she became active in her preparations to hold the country.

158. French settlements; the Iroquois

Toward the close of the century the brothers, Jean Baptiste Le Moyne of Bienville and Pierre Le Moyne of Iberville, descended the Mississippi river and made a temporary settlement near its mouth. In 1699 Iberville planted a small colony at Biloxi, and in 1702 another at Mobile. New Orleans, settled by Bienville, was founded in 1718; but there was no settlement at St. Louis until 1764. Meantime, New France was increasing her power in a military sense by bringing over colonies, building forts, and strengthening herself in alliance with the Hurons as well as the Algonkins. In choosing the Algonkin alliance, the French had made the Five Tribes, or the Iroquois, their implacable foes. The position of the Iroquois made it impossible for the French ever to gain the Mohawk and Hudson river valleys; and it was long before they could, in safety, occupy the region south of the lakes; so Marquette, Joliet, La Salle, and other explorers, in discovering new regions toward the west and southwest, served to relieve, at least for a time, the pressure of the French upon territory claimed by the English. Had France been able to control the Iroquois Indians, the history of the New World might have been different.

159. French forts and English settlers

France saw that she must make good her claims in the face of English aggressions, and she extended her line of forts up the Ohio toward the St. Lawrence. They now reached from New Orleans to Montreal, along the Mississippi and the Great Lakes. During the years of French activity beyond the



MAP TO ILLUSTRATE FRENCH EXPLORATIONS

Alleghanies, the attention of the English had been given to developing their interests between the mountains and the sea. Only a few adventurous spirits had passed the western barrier.¹

¹ "Several years before Marquette and Joliet had sailed down the Mississippi, Colonel Abraham Wood (1654-1664) had explored the streams emptying into the Ohio and Mississippi rivers. Later English explorers were Lederer (1660-1670), Botts (1671), Howard and Salling (1742), and Walker (1748-1750)." — Thwaites, *French in America*, p. 40.

A few frontiersmen had also crossed over to Kentucky and a permanent settlement had been begun at Dupers Meadows. But when the French began to strengthen their fort at Presque Isle with the evident intention of connecting Lake Erie, in a military sense, with the Ohio, men active in the political life of the English colonies observed these preparations and urged the king of England to check any French advance.

COLONIAL WARS

**160. The
European
wars; King
William's
War**

"The French and Indian Wars" is a title adopted for convenience to designate the American effect of the quarrels and wars of European states which gave the observant and perhaps envious French and English colonists in America an occasion to "set each other by the ears," to gratify an inherited traditional hatred, and to punish a rival for trespassing on territory that had been taken from the Indians in total disregard of their wishes, interests, or rights. Each war takes its name from the monarch of England who was on the throne when the war was waged. The first three wars did not grow out of conditions in America; in fact, they had no reference to American conditions and did not affect them; but the last war, known in Europe as the Seven Years' war and in America as the French and Indian War, was an American war, and affected the states of Europe. The last war has so many distinguishing characteristics that it should not be classed with the others.

The royal brothers, Charles II and James II, were cousins of Louis XIV of France and had borrowed from him large sums of money with which to fight the parliament of England. They could not well afford to oppose, seriously, any of his interests or movements. But when William of Orange came to the English throne (1689) to succeed James II, he opposed the French king on old scores, and he was quite unfriendly toward his ambition to gain commercial supremacy and to deal a blow at Protestantism by combining the great Catholic nations in placing his grandson on the Spanish throne. War broke out in Europe and in the colonies, each group taking the side of its own mother

country. The French with their Indian allies fell on the exposed towns and villages of the English. They scalped and murdered the people and pillaged and burned Schenectady in New York, Salmon Falls, New Hampshire, and Exeter, New Hampshire. These horrible outrages were planned, in the main, by the subtle and able Count Frontenac, who came over as governor of Canada about the time this war broke out. During this war, at the suggestion of Massachusetts, the first colonial congress was attempted. It met at Albany in 1690 to plan concerted action against the French. Three plans were formulated, but only one, the capture of Acadia, was successful. This congress opened the way for very effective ones later. The British captured Port Royal in Acadia, but when the treaty of Ryswick closed the war in Europe (1697), it was given back to France.

The second of these "Intercolonial Wars" was known in America as Queen Anne's War and in Europe as the War of the Spanish Succession, England, Holland, and Germany being allies on the one side and France and Spain on the other. The fact that Spain and France were friends gave ground for the English colonists in South Carolina to attack the Spaniards in St. Augustine, Florida, when Governor Moore (1702) captured that town. When the Spanish fleet arrived the governor burned the town and hastened back to Charleston. In 1706 the English were attacked by the Spaniards and they in turn drove the Spaniards away.

Again the New Englanders captured Port Royal. The greatest horror of these wars in America was in the awful Indian raids and massacres, led by the French. In this one, Deerfield, Massachusetts, suffered a terrible massacre. More than a hundred inhabitants were carried into Indian captivity. There were Indian troubles in the South, but fortunately no massacres. Under the leadership of Queen Anne's great general, the Duke of Marlborough, England was able to dictate terms of peace.¹

¹ In this treaty England demanded and obtained the right to sell not less than 4800 slaves from Africa to the Spanish-American colonies. The South Sea company, in which the queen was a stockholder, was given the right to engage in the slave trade.

By the treaty of Utrecht (1713), which closed this war, France surrendered the Hudson bay region, Newfoundland, and Acadia, and acknowledged England's suzerainty over the territory of the Iroquois Indians. The English changed the name of Acadia to Nova Scotia, and Port Royal to Annapolis.

162 King
George's
War.

The third of these European wars was King George's War (1744-48), which began thirty-one years after the close of Queen Anne's War (1713). This conflict is known in Europe as the War of the Austrian Succession. During the period of peace which followed the treaty of Utrecht the French had constructed on Cape Breton island an exceedingly strong fortification which was called Louisburg. It was a common saying that even women could hold it against any attack. The most important American event of the war was the capture of this fortress by New England troops. Curiously enough, it is said that a lawyer drew the plan of attack and that a merchant, Pepperell, commanded the troops composed of mechanics, farmers, and fishermen, and this combination, aided by a small fleet under Admiral Warren, succeeded in an assault that trained soldiers would not have undertaken. To the chagrin and indignation of the Americans who had captured it and needed it, the treaty of Aix-la-Chapelle, which closed this war, gave Louisburg back to France (1748). It was in this war that Oglethorpe (1742) attacked the Spanish colonies and later drove them away from Frederica. At the end of these three European American wars the English possessions were the same as in the beginning, except that the English had gained Nova Scotia and Newfoundland, with disputed boundaries.

THE BORDER STRUGGLE

163. The
western
country

In 1749, the year following the close of King George's War, the king granted a charter to the "Ohio company" in which were some Virginia gentlemen, two brothers of George Washington among them. A half million acres of land west of the Alleghanies was granted upon the condition that one hundred families be settled on it in seven years. The company built a

temporary fort at Mill Creek (Cumberland, Maryland), near the head of the Potomac, and cut a road through the wilderness for sixty miles to the Monongahela, where, in 1752, another trading-post was begun. The road, afterward known as Washington's road, Braddock's road, and as the Cumberland trail, became a way by which the French and Indians advanced to attack the English settlements when hostilities began.

The French, already preparing to defend the territory which they claimed, built Fort Le Boeuf on a tributary of the Alleghany river, which would command the portage between the river and Lake Erie. They endeavored to confirm their alliance with the Indians, some of whom had shown disaffection. They moved their outposts to Venango, an Indian village, driving out some English traders, and taking others prisoners, whom they sent to Canada.

Governor Dinwiddie of Virginia chose Major George Wash-
 ington, who was then but twenty-two years old, to make the
 arduous journey through the wilderness and to bear to the
 French commander beyond the Ohio the remonstrances of his
 colony. Washington set out with six companions, at length
 reached Fort Le Boeuf, and delivered his despatch to the French
 commander. He then returned to Virginia, bearing a sealed
 reply to Governor Dinwiddie. It had been a long, painful, and
 perilous journey. The message of the French commander, as
 Washington might well understand, was not at all encouraging,
 and news of French encroachments upon Virginia's territory
 continued to come. In January, 1754, Colonel Trent, with



GEORGE WASHINGTON AS A
YOUNG MAN

From the portrait painted by
C. W. Peale

**164. Wash-
 ington on
 the Ohio;
 Fort
 Necessity**

a small force of Virginia volunteers, was ordered to build a fort at the junction of the Alleghany and Monongahela rivers. He did so, but in April he was compelled to retire upon the advance of a large body of French troops, who completed the fort and named it Fort Duquesne.

Before learning of this act of war, Governor Dinwiddie had ordered Washington to march, with two hundred men, to reinforce Trent. Washington skirmished with a small body of the French on May 28, and they left the field, but another and larger force advancing upon him, he fell back to Great Meadows, where he built a small fort of logs which he called Fort Necessity. There he resisted a combined attack of French and Indians, and on July 4 capitulated on terms and marched out with all the honors of war. Now the French held by force of arms all the country that Great Britain had claimed beyond the mountains, and war was believed by all the colonies to be imminent.

165. The
Albany
Congress
— 1754

Indeed, the approach of war had long been apparent to the English colonists, and an effort to bring about concert of action had been begun again. A conference was called to meet at Albany July 19, 1754, and was attended by delegates from seven colonies. A plan of uniting in resistance to the French and Indians was presented by Benjamin Franklin, which provided for a grand council to be elected by the colonies, having



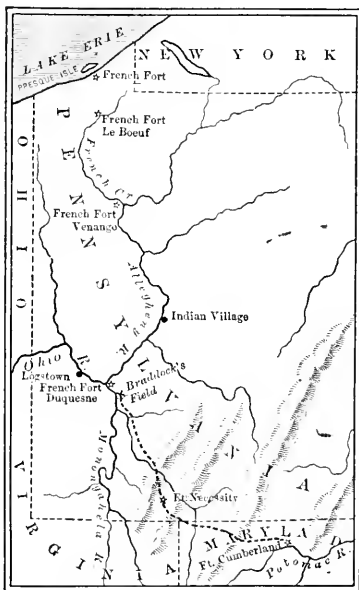
166. Rela-
tive
strength
of the
disputants

DEVICE PRINTED IN FRANK-
LIN'S "PENNSYLVANIA
GAZETTE," 1754

power to levy taxes, raise troops, build forts, and to be supreme in those general affairs in which all the colonies were concerned. Although the plan failed it was another lesson to the colonies in learning how to act together.

The territory in dispute in America was covered by the English grants to Virginia "west and northwest from sea to sea," while the French claimed all lands drained by the Ohio and the Mississippi and their tributaries.

The French had about sixty forts from New Orleans to Montreal. They held Fort Duquesne, Crown Point, Ticonderoga, Montreal, and Quebec. The English had but two of any importance, Oswego and Fort William Henry. The population of New France at this time (1754) was about 80,000, while that of the English was about 1,500,000. The French had, at the beginning of hostilities, 6,500 regular soldiers, but in addition were 15,000 men, mostly hunters and fur traders, who were expert marksmen, and whose training under the French military policy greatly added to their effectiveness as recruits. Each separate English colony harbored antagonism to the others almost as great as that which it felt toward the French, and at the beginning of the struggle the border English colonies alone could be induced to vote men and supplies. The regulars who were sent over at first did not greatly add to the efficiency of the army, unused as they were to the conditions of wilderness warfare.



ROUTE OF BRADDOCK'S EXPEDITION

Both France and England prepared for war. Great Britain, in 1755, sent over two regiments under General Braddock, appointed commander-in-chief in America, and the French reënforced their troops in Canada with three thousand men. And then came Braddock's disastrous campaign against Fort Duquesne, consisting of a single battle in which the British veterans were put to rout by savages and their French allies. General Braddock was brave, and with his life atoned for

167. Braddock's defeat — 1755

typical British arrogance displayed in his contempt of colonial soldiers and his rejection of Washington's counsel.

THE SEVEN YEARS' WAR

168. Con-
quest of
Acadia
— 1755

Almost two years after men had been killed in battle at Fort Necessity, parliament declared that war existed between Great Britain and France. Before it was ended, other European nations had taken part.

Acadia, afterward Nova Scotia, had changed rulers several times, but the people had remained French. Even after the treaty of Utrecht in 1713, which gave Nova Scotia to the British, the inhabitants refused to take the oath of allegiance to the British government. Nova Scotia, the Gateway to the St. Lawrence, as it is called, seemed necessary to the British on account of its strategic importance. In 1755 General Monckton, in command of about two thousand volunteers and a small force of regulars, was ordered to use severe measures to make Acadia entirely obedient to Great Britain. He gave the people a final opportunity to take the oath of allegiance, but about half of them still refused, and the result was that the property of the malcontents was destroyed or confiscated and they themselves were deported, while those who took the oath were not molested. Those who were deported were scattered along the Atlantic coast among the English settlements. Some finally reached France, and some went to Louisiana and settled south and west of New Orleans, where today are found the parish of Acadia and the little town of Evangeline, the latter named in honor of the poem that tells a story of Acadian lovers.

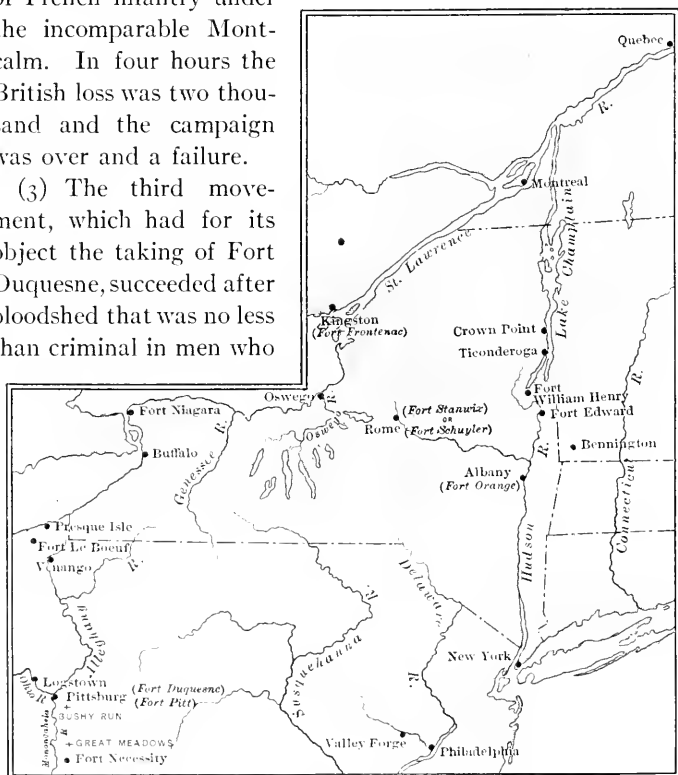
169. The
campaigns
of 1758;
Louisburg;
Ticon-
deroga;
Fort
DuQuesne

The commander-in-chief in New France, General Montcalm, was an able soldier. He took Oswego and Fort William Henry and prepared a fleet for the invasion of New England. In 1758 William Pitt, who had become minister of war, was ready to try again the issue which had ended so disastrously under Braddock. The British land forces in America were under command of General Abercrombie, who planned for three separate operations to be undertaken.

(1) General Amherst and Admiral Boscawen took Louisburg. In this siege, General Wolfe, who was afterward famous, gave a good account of himself and returned to England a hero.

(2) At Ticonderoga Abercrombie threw his army time after time against impregnable intrenchments defended by the flower of French infantry under the incomparable Montcalm. In four hours the British loss was two thousand and the campaign was over and a failure.

(3) The third movement, which had for its object the taking of Fort Duquesne, succeeded after bloodshed that was no less than criminal in men who



MAP SHOWING FRENCH AND ENGLISH FORTS

knew of Braddock's experience. These disasters had for one result the placing of Colonel Washington in command of the advance guard. But when the army pushed on and reached the fort, no enemy was found. The capture of Fort Frontenac by

170. The
campaigns
of 1759;
Fort
Niagara;
Ticon-
deroga;
Quebec

the enterprising Colonel Bradstreet caused the French to set fire to Fort Duquesne and retreat hurriedly down the Ohio.

Abercrombie was superseded by Amherst, who had forced the surrender of Louisburg, and a plan for another campaign was determined upon: (1) General Prideaux, joined by Sir William Johnson and the Indians, would advance against Fort Niagara. After taking the fort, he was to cross Lake Ontario, continue down the St. Lawrence, capture Montreal, and then



GENERAL JAMES WOLFE

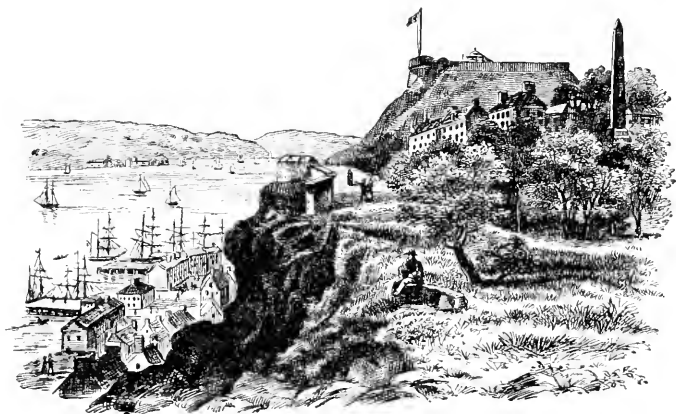
unite with Amherst. (2) Amherst was to move against the forts on Lake Champlain, as Abercrombie had done in 1758. After taking Ticonderoga and Crown Point, Amherst was to form a junction with Wolfe before Quebec. (3) Wolfe, with an army of eight thousand men, with ships of war, was to sail up the St. Lawrence and take Quebec, the capital of New France.

After a desperate battle the fort at Niagara surrendered to Sir William Johnson. The French in all this region then gathered to the defense of Montreal.

The Ticonderoga garrison withdrew and united with the force which was concentrating to defend Montreal against Sir William Johnson. So Amherst marched into Ticonderoga without firing a shot, and then, strange to say, began to fortify instead of pressing the enemy or advancing to coöperate with Wolfe.

In June the fleet carrying Wolfe and his army went up the St. Lawrence. The able and gallant Montcalm was having his hands full collecting forces to defend both Quebec and Montreal. He had more troops at Quebec than Wolfe had, but many of them were undisciplined savages. Wolfe took position on the Isle of Orleans below the town. He erected batteries and

bombarded the town and fort with no success. A few days later he ascended the St. Lawrence, beyond the town, to find a way to assail Montcalm from above. He found an almost inaccessible height, beyond which stretched the Plains of Abraham. He returned from the reconnaissance feeling discouraged. Now he determined to cross the Montmorenci and fall directly upon Montcalm, and a plan of battle was made. The attack was repulsed; the French behind the intrenchments slaughtered



QUEBEC IN THE EIGHTEENTH CENTURY

the Highlanders as they advanced, and as they retreated the Indians slaughtered the wounded. Nothing remained but to attempt to reach the Plains of Abraham. So on September 6 the troops boarded the vessels and went up the St. Lawrence far past Quebec, Montcalm dispatching a force to prevent a landing. On the night of September 13 the English embarked in flat-bottomed boats, floated down the river toward Quebec, and landed on the north shore where a small cove, now known as Wolfe's cove, seemed to offer possibility of an ascent; and the morning sun shone on Wolfe's army in line of battle on the Plains of Abraham. When Montcalm was informed that the enemy had turned his position, he said, "Yes, I see them; but they have made a false movement. We are going to crush

them;" and he made an immortal effort, but the battle went against him. Quebec fell, both commanders were killed, and New France became only a piece of interesting history.



MARQUIS LOUIS DE MONTCALM

171. The Treaty of Paris — 1763; the king's proclamation

Upon the monument in Quebec, erected to the memories of Wolfe and Montcalm, twin immortals who fell in the battle, these words are engraved: "Valor gave a united death, History a united fame, Posterity a united monument."

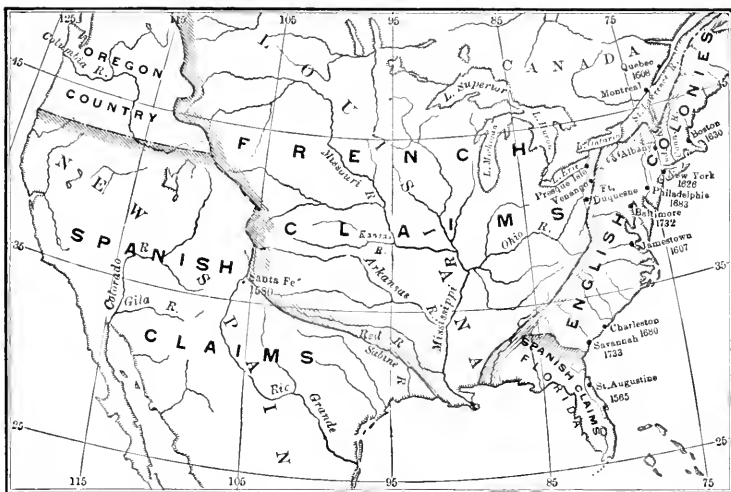
Treaties of peace were made at Paris in 1763, the nations involved being Great Britain, France, and Spain.

Spain ceded to Great Britain East and West Florida, and received from Great Britain the city of Havana which a British fleet had taken.

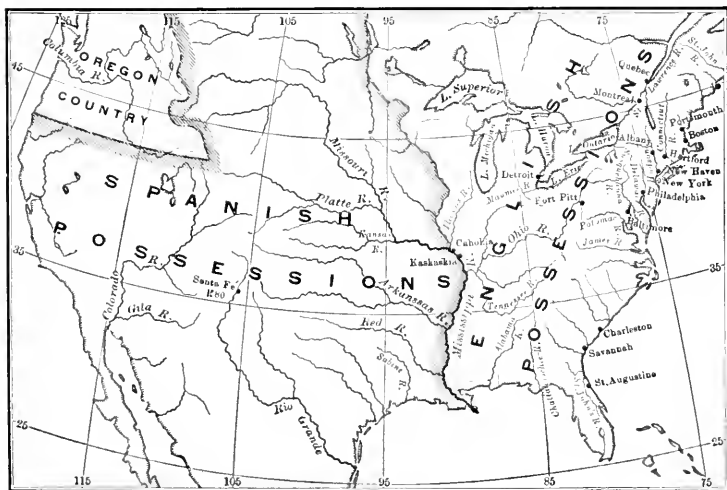
France ceded to Spain the "Island of New Orleans," on which "island" the city of New Orleans stands, and all her territory west of the Mississippi.

Excepting two small islands in the St. Lawrence and certain possessions in the West Indies, France ceded to Great Britain all her territory in North America south of the Hudson bay and east of the Mississippi from the source of that stream to "the river Iberville, one of its outlets through Lakes Maurepas and Pontchartrain to the Gulf of Mexico," the waters above named being east of New Orleans.

King George II issued a proclamation in which he defined the limits of three provinces, East Florida, West Florida, and Quebec. The province of Quebec included all French settlements in the valley of the St. Lawrence, Cape Breton being joined to Nova Scotia. The two Floridas were separated by the Appalachian river. The territory not included in the three divisions was to be set apart for the Indians and addi-



**CENTRAL NORTH AMERICA, 1755
AT THE BEGINNING OF THE FRENCH AND INDIAN WAR.**



**CENTRAL NORTH AMERICA, 1763
AFTER THE FRENCH AND INDIAN WAR.
(ACCORDING TO PEACE OF PARIS)**

tional colonies; this region included the western claims of Virginia, Carolina, Georgia, Pennsylvania, Connecticut, and Massachusetts.

The fall of Quebec was more than a military event. It settled upon the English the responsibility for the future of the American continent. It determined that English political institutions, gradually but inevitably evolving a form of free government rather than the paternalistic government of the French monarchy, should become established in the New World. The free local institutions which the Englishmen had been one hundred and fifty years in founding were now secure, so far at least as danger from France was concerned, and the Anglo-Saxon was ready to enter anew upon his mission of achieving the freedom of enlightened and self-governing men.

Of the significance of this struggle in the other fields of human interest, Mr. Mace says that it "decided that North America should become a new home for English Protestantism, and that French Catholicism must return to European soil. This result lifted a great load from the minds and hearts of the English colonists. Yet, even if victory had belonged to France, the religious effect would have been just as great. . . . Again, this war brought into personal contact the Puritan, the Baptist, the Dutchman, and the Cavalier; they messed together, marched together, and fought together; they shared each other's joys and sorrows, victories and defeats. Seven years of this and other forms of mutual intercourse did much to tone down religious exclusiveness and prejudice. . . . This war also decided that free instead of parochial schools should bless America; and yet more, for it destroyed the possibility of French family and social life. This long struggle also burdened both England and the colonies with heavy debts. The former tried to lighten her load by putting new burdens on the trade of the latter. The colonies replied by refusing to have commercial intercourse with England, and began to develop their own resources, which led the way to commercial as well as to political independence."

172. Significance of the fall of Quebec and New France

SUMMARY

The French began their activities in the New World under the influence of that intellectual expansion which led all Europe in the fifteenth and sixteenth centuries to seek new and better conditions of living. In their search for the East they became impressed with the possibilities of the fur trade and the opportunities for spreading the Christian religion. To promote these opportunities and to secure for the French monarchy a controlling interest in the New World, they attempted to form a chain of settlements reaching from the mouth of the St. Lawrence, along the Great Lakes, and down the Mississippi to its mouth. Population did not increase rapidly and the settlements were far apart. A conflict with the westward moving Englishmen was inevitable. It was precipitated by conditions in Europe, and gradually came to a climax through four successive wars. The result was the practical expulsion of the French from the North American continent, producing political, religious, social, educational, and industrial effects that neither Englishmen nor Frenchmen of that day could even remotely foresee.

REVIEW QUESTIONS

1. Did the Frenchmen have a valid claim to North America?
2. Make a list of the characteristics of the settlers of Acadia. Do the same for the settlers of Plymouth. Strike out those that are common.
3. Compare the motives of La Salle with those of William Penn.
4. What evidence may be found now that the French once occupied the St. Lawrence and the Mississippi valleys?
5. Was the struggle between the English and the French colonies inevitable? Give reasons for your answer.
6. Were the Indians an important factor in this war? Why?
7. What advantages did the English possess? The French?
8. If Montcalm had won at Quebec, how do you think his victory would have effected history?
9. What were the respective European wars of which the intercolonial wars were a reflection?
10. Did the English have any valid claim to the region west of the Alleghanies?
11. In what ways were the intercolonial wars a preparation for the Revolution?
12. Why did not Spain figure more prominently in these wars?

CHAPTER IX

COLONIAL CONDITIONS IN 1760

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THE FOUNDATION OF FREE LOCAL INSTITUTIONS

One hundred and fifty years after the successful settlement of the Atlantic seaboard by the English, the character of American local institutions had been largely determined. The population of the colonies now numbered approximately 1,750,000, about equally divided by Mason and Dixon's line (116). Sixty-five per cent of the people were English, twenty-three per cent were negroes, and the remainder were French, Dutch, Swedes, Irish, Scotch, Germans, and other Europeans. A large per cent of the negroes were on the rice and tobacco farms in the South, the industries of the North not being suited to negro labor. On moral grounds there was little objection to slavery, perhaps as little in the Northern as in the Southern colonies. It is true that among the Quakers of Pennsylvania, a moral sentiment against slavery had begun to develop; on the other hand there were parts of North Carolina where the institution was in disfavor. Georgia had only recently removed her ban from slavery for economic reasons, just as she had done in the case of rum. Whatever else may be said about slavery at this time, it was preëminently an economic institution largely

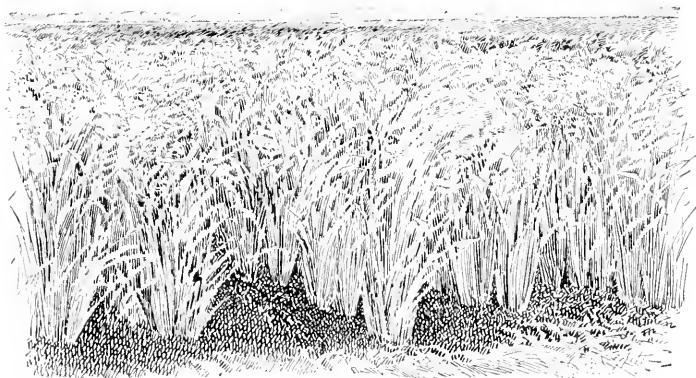
173. Population;
slavery

refused in the North because it was unprofitable. Three fourths of the negro population were south of Mason and Dixon's line. The slave traders of New England grew rich in importing Africans; they sold them to the South, where untrained negroes could find work suited to their small capacity, and where they became more and more serviceable as they forgot their native savagery and advanced toward civilization. To such progress ideals were not lacking for an intelligent negro. The forces of a plantation were usually well organized, admitting not only development of individual merit, with practical instruction in the serviceable arts, but even encouraging an *esprit de corps*, which the negroes were so quick to further that in many cases restraint was necessary to prevent trouble with the brigade in the neighboring settlement. There can be little doubt that the vast majority of the negroes were of far greater worth, in life and in character, than they could possibly have been by remaining in their native forests. By the middle of the eighteenth century, more than forty per cent of the entire population in the Southern colonies were negroes. Besides negro servitude, there was also white servitude throughout the colonies. It will be remembered that, in founding some of the colonies, debtors were given a chance to work out their obligations and secure their freedom. Others bound themselves to service for a period of years in payment for transportation and other expense money. As a rule, these people soon secured their liberty and blended with the other whites. Others expiated crimes committed in England by accepting a long term of servitude in the New World in lieu of the death or other severe penalty imposed by act of parliament. There were comparatively few slaves of this kind, but they seem to have been utilized by all the colonies without compunction.

174. Industries of the sections

In regard to industries, the colonies varied greatly. Timber, small farms, and water power made of New England a manufacturing and commercial section, which developed more and more and became wealthy and powerful. The ship builders of this region and the merchants of the mother country were hand and

glove in exchanging the slaves of Africa for the molasses of the West Indies, and converting the molasses into rum to exchange for more slaves. With the connivance of the British government they sold their surplus of negroes to American purchasers, and thus became accomplices in establishing the institution of slavery. Navigable rivers, the fur trade, the grain exports from the Mohawk valley down the Hudson, and a delightful climate, urged forward the Middle colonies on their advance to



RICE FIELD

permanent prosperity and paved the way for the most cosmopolitan civilization in the world. Philadelphia and New York were already known as flourishing American cities. Indigo, tobacco, corn, rice, timber, cattle, and waterways, with cheap labor, gave the South its basis of wealth, and made it attractive to the man of means beyond the seas.¹

Most of the commerce of the colonies was carried on with Englishmen. Means of intercolonial communication were poor, and the colonists naturally looked back to their old home for a market. Moreover, there was no common medium of exchange, though England's sterling money was more generally

175. Com-
merce

¹ In 1764 eight bags of cotton were received in England from a Southern colony. The cotton industry was very rapid in developing after Whitney invented the "gin."

used than the coins of other nations. Tobacco became a legal tender in Virginia and Maryland, and some of the colonies issued paper notes with a view to securing a loan or to facilitating business. The value of such notes depended upon the colonial government's fiat; they were easily issued, and their depreciation led to business disturbances, which induced the English parliament to prevent their issuance (1751). The mercenary motives which England revealed in the enactment of trade and navigation laws are likewise seen in an endeavor to regulate the



TOBACCO FIELD

monetary system of the colonies. The persistent treatment of the colonies as legitimate prey for the lords of British capital was a vital force in producing trouble for the mother country.

**176. Social
conditions**

The industries of the country were important factors in bringing about social differences. In the South the system of slave labor, and the concurrent growth of agricultural interests gave rise to marked peculiarities. The great tobacco plantations of tidewater Maryland and Virginia, and the rice plantations of South Carolina, had their effect in giving to the families holding such estates a prominence almost aristocratic. There is no doubt that the influence of this small "class" was far greater than was commensurate with its numbers, and tended to obscure the merits of the great majority of the white people, who owned farms and worked at various vocations, and lived free from servility on the one hand and from arro-

gance on the other. From the great landowners came the leaders in both social and governmental affairs. Their wealth and consequent leisure made possible the highest intellectual development of enlightened and patriotic citizens. The mansions on their vast estates were the centers of hospitality and of festivity on great occasions; and, as a rule, there was little superciliousness shown in mingling with their sturdy constituents, the white men who were unable or unwilling to own slaves. There were very few whites who worked as day laborers for



A SOUTHERN MANSION

hire — hardly enough to place in a distinct class. At the bottom of Southern society were the slaves, who were clustered in “quarters” about the mansion of the master and who did very nearly all the manual labor on his plantation. There was practically no beggary. In New England the “aristocracy” was composed of the rich business men and the ministers, the one holding their places by reason of wealth, the other on account of superior education. Below these the social strata were not very clearly defined, but social life was not so democratic as the political history of that region might lead one to believe. The church was the center of public activities and the attitude of society was distinctly religious. In the Middle colonies, social conditions, like every other interest, partook of the character of both the Southern and the New England colonies. The planters of Delaware, the patroons of New York, and the rich merchants of all the region constituted the upper

class. The great middle class consisted mainly of farmers, tradesmen, artisans, and professional men. Perhaps free white laborers were proportionately more numerous there than in any other part of the English settlements.

177. Education

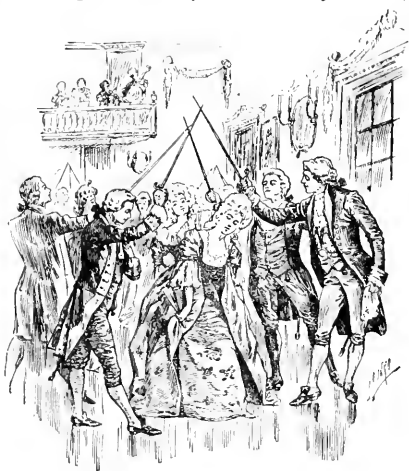
In matters of education the South depended in the main upon the private instruction of clergymen or others who could give part of their time to teaching. The children of the well-to-do were often sent abroad or to New England in the later years, while many others were educated in William and Mary College established in Virginia in 1693. Higher education was more general in the South than in any other section of the country, but on account of the absence of all public education general illiteracy was greater than in New England. In the North something was done toward public education by the establishment of town schools (supported by local funds) which gave instruction in reading, writing, and arithmetic. Some of the larger towns maintained the semblance of high schools and were blessed with an occasional private academy. Harvard, William and Mary, Yale, King's (Columbia), New Jersey (Princeton), and Pennsylvania were perhaps something like the "junior colleges" of today. The ministry, law, and medicine, in the order named, were the leading professions of the colonial period.

178. An approach to religious freedom

We have already seen that religious conditions drove men of strong mould and earnest conviction to make their homes in the land which they themselves might govern, and so religious sects of all lands sought "freedom" in the New World. There was, therefore, a greater degree of separation between church and state than was common at the time in Europe. Maryland, Virginia, and the Carolinas recognized more or less completely the established church (Anglican), though the attempt was rarely made to enforce religious uniformity. The Episcopalians were, therefore, the predominant religious organization in these states, but Presbyterians, Catholics, Methodists, and Baptists increased rapidly toward the close of the colonial era. That the established church was not strong in New England at any

time during the colonial period, is easily understood when we remember that it was settled chiefly by Dissenters. Because of danger from the Indians, and because they came to America in communities, the settlers built their homes around the church in which they loved to meet; and the custom gave rise to the congregational form of worship in which each local church governed, for the most part, its own affairs. The New England minister rivaled the Southern statesman in scholarship, and left an indelible impress upon American life. The Quakers were strong in the Middle colonies, particularly in Pennsylvania,

New Jersey, and Delaware, while the Dutch (Reformed) Church held a prominent place in New York. Baptists, Methodists, Presbyterians, and Catholics were to be found throughout the Middle and New England colonies. Legally there was religious freedom in Rhode Island and Pennsylvania, but as a matter of fact, genuine religious toleration, as we have it today, was scarcely known



A VIRGINIA MANSION PARTY

at that time. If the colonists did not yet know the full meaning of "religious freedom" they had gone farther toward it than any other people in the world.

As to the political condition of the colonies, that which is of deepest significance in relation to their governmental activities is their virile spirit of liberty. There was not a colony from Massachusetts to Georgia that did not, at some time or other, show unmistakable evidence of a determination to be free. As a rule, those who came to America were of the most liberal element in England, but in any case their whole environment

179. Political conditions

in the New World was conducive to the development of local self-government. Distance from the mother country, poor means of ocean travel, necessary dependence upon themselves both for their common defense and for the necessities of life, the hardships that always accompany the settlement of a new country — all these things and many more coöperated with that instinct for freedom which has always been a characteristic of the Anglo-Saxon race and which was particularly strong with the American colonists; the result was the establishment of the most liberal and enlightened commonwealths of the world. In the development of their institutions they were not creating anew, however, so much as building upon and enlarging the old. Englishmen had long been accustomed to Magna Charta (1215), their traditional bulwark to individual liberty; fresher still in the minds of the colonists was the Petition of Right (1628), the granting of which had been wrung from King Charles I in his struggle against parliament for the control of the nation's purse. Then, too, there was the Habeas Corpus Act (1679), and the Bill of Rights (1689), each standing as a landmark in the development of English liberty. Add to these written constitutional documents the common law of England, and the foundation of political development becomes as strong as instinct and as permanent as reason.

**180. Forms
of colonial
government**

The political genius of the colonists expressed itself under two forms: (1) In the legal relations between the colonies and the mother country; (2) In the kind of local government erected. With respect to the former, there were three official kinds: (1) Provincial, in which the home government attempted to govern directly through governors. The colonies organized in this way were Virginia, North Carolina, South Carolina, New Jersey, New York, New Hampshire, and (after the trustees surrendered their proprietorship in 1752) Georgia. (2) Proprietary, in which individuals or groups of individuals, holding from the crown, administered the colonies; these were Maryland, Pennsylvania, and Delaware. (3) Charter, in which there was a kind of constitutional law granted to the colonies by the home government;

at the close of the colonial period these were Massachusetts, Rhode Island, and Connecticut.

While there were these three differences, more or less distinct, in their official relations with the mother country, all the colonies were organized much after the same fashion. For example, they recognized three separate departments of government:

(1) The executive, whether elective as in Rhode Island and Connecticut, or appointive by the kings or proprietors as in all the other colonies, was the highest colonial office in America.



BALTIMORE IN 1752

After an engraving in Scharf's *History of Baltimore*

The governor's powers were extensive, though not always the same in the different colonies. He usually appointed the members of the upper branch of the legislature and could veto any measure passed by that body. He appointed the judges and most other important colonial officials. The term of the elective governor was one year, while others held their places during the pleasure of the appointive power.

(2) The legislative, which, except in Pennsylvania, Georgia, and Delaware, consisted of two houses. The upper house, usually appointed by the governor, acted as his counsellor and assisted in the process of law-making. The members of the lower and more numerous branch of the legislature were

elected for one year by popular vote, though suffrage was restricted by a property qualification and generally also by a religious qualification. Toward the close of the colonial era this branch of government became so powerful as to defy the governors and king, and thus developed leaders for the approaching struggle with the mother country.

(3) Colonial courts, which furnished the germ of the later judicial system. The judges were appointed usually by the crown or the governor, who largely controlled them. Trial by jury, however, was an "inalienable" right.

**181. Local
government**

The various reasons for the differences in the form of local government have been noticed in a previous chapter. We are here interested only in their operation. The county court, appointed by the governor and presided over by the justice of the peace, levied the taxes and passed the governing ordinances. The sheriff of this court, also appointed by the governor, served the court in the administration of the law. The office of sheriff was the least democratic of all local colonial institutions. In the Middle colonies, where both the county and the town systems were in vogue, it was frequently the case that public officials were chosen by the people and local government was therefore more democratic than in the South. But the most democratic region, so far as local government is concerned, was New England. Here the town was the unit of organization and the town church and city hall were the centers of political activity. The voters here made their laws, levied their taxes, elected their officials (including a pastor) and listened to the reports of their selectmen. This method is still followed in parts of the country and has served to give color to local institutions and political thought throughout the New England region.

SUMMARY

One hundred and fifty years of English colonial life were given to setting up local institutions and making them stable. By (1760) the end of the period, it had been determined that American institutions would be Anglo-Saxon in character rather than Spanish or French, or Portuguese, or Dutch.

Moreover, it was reasonably evident that the spirit of liberty had found richer soil here than in any other country in the world. Nowhere else in the world was there such free government; nowhere else so much toleration in religion; nowhere else such constant appeal to the energy of an industrious people; nowhere else so little of caste; and finally and fundamentally nowhere else so much love of truth and desire for enlightenment. Population was increasing rapidly, industries were multiplying, and forces were at work, and had been from the beginning, that were slowly but surely welding the American colonies into one. Free local institutions having now been established, it remained to be seen what would next dominate the thought and feeling of American-Englishmen.

REVIEW QUESTIONS

1. What authority is there for the statement that the colonial charters were a kind of constitution?
2. How did the colonists usually feel toward their governors? Why?
3. Describe the kinds of colonial governments in America in 1760.
4. Give as many reasons as you can for the development of *free* local institutions.
5. Where did the town system of government originate? The county system? Why was the one transferred to New England, the other to the South?
6. Why were the negroes so much more numerous in the South than in the North? Did slavery have anything to do with the development of the county as the unit of government in the South?
7. Make a list of things that existed in the colonies, and that do not exist now.
8. Make a list of things that exist now that did not exist in colonial times.
9. How is the largest town in your county governed now?
10. Has the spirit of freedom grown any in this country since 1760? Prove your answer. Is it full grown now?
11. Name some of the opportunities for self-development that you enjoy that were not open to the young people of 1760.

CHAPTER X

CAUSES OF THE REVOLUTION

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COLONIAL DEVELOPMENT

182. Great
develop-
ment
tending
toward in-
dependence

The history of the English colonies in America embraces a period of one hundred and seventy years. At the beginning of this period Jamestown was settled; at its close, the Declaration of Independence was proclaimed; within that period, a tremendous Cause was working — the Cause of liberty, and the Cause of man, working toward the

“One far-off divine event
To which the whole creation moves.”

The mercenary motives that influenced the planting of the English colonies continued to affect their management. Although England's colonial policy was more liberal than that of any other nation, yet merchants, court favorites, and kings never permitted parliament to lose sight of their material interests in America. It would seem that the development of a century and a half, in both the mother country and the colonies, should have given British statesmen a vision and a policy unlike the narrow view that regarded the settlements as trading-posts, and very different from the mode of exploitation which actually obtained. For Great Britain was now in the front rank of the

nations; while in the colonies, in every material and moral way, the rate of progress had been greater than that in the mother country. The colonists had earned the right to regard their governmental conditions above the commerce of Great Britain or the glory of a king whom few had seen and possibly fewer still had reason to love. They had increased from a few scattered settlements to more than a million and a half of people, vigorous, intelligent, equal to any people of western Europe, and in love with the theory of self-government; and these people regarded themselves as fixed in their homes. Generations had lived and died in America. Parents and grandparents of thousands who participated in the stirring events that led to the Revolution had been born on the soil which now their descendants owned. Many of them knew the native Englishman as only a royal governor or member of the council, or as a hated customs officer. Not many of these officers were in position to endear themselves to the men who found it necessary to outrage a good conscience in protecting smugglers from punishment for violating laws that were traditionally unjust and oppressive. Doubtless thousands of settlers had sat by the open log fire in the evening when they were children, and heard their fathers and grandfathers tell the stories of the perennial struggle for representative assemblies from 1619 to their own time. Opposition to the oppressor had become a part of the subconscious mind of lineal Americans.

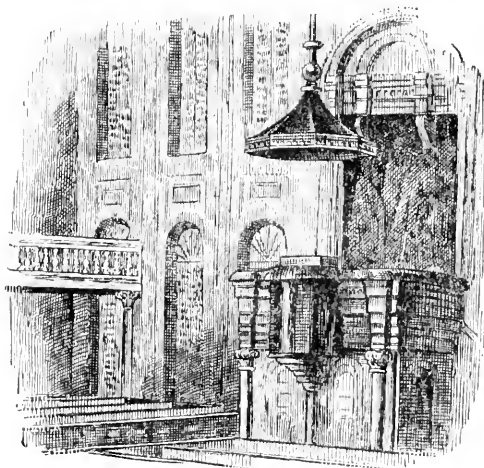
Men from all countries had come to the English colonies, but they had not become Englishmen. They were British subjects, but, living in the woods of America, fighting Indians at one time and royal governors at others, there was no great inducement to offer their lives in the service of Great Britain. The Dutch and the Swedes, who had distinguished the early history of New York and Delaware, had left descendants that were American, not British. Many hardy Germans had come to Pennsylvania and other colonies. Huguenots from France, and many most valuable Scotch and Scotch-Irish people had added both steel and iron to the blood of the Carolinians, and the

183. The colonists not exclusively English

infusion of all this blood into the English stock brought little strength to Great Britain's hold on the American colonies.

184. Demand for freedom in religion

The Church of England was part of the machinery of the government, and it always figured in British politics. It was but natural that an effort should be made to bring the institution to America. This effort was made, and successfully made, in Virginia, Georgia, Carolina, and Maryland, where the church



INTERIOR OF KING'S CHAPEL, BOSTON

Built in 1754

was established by law. It was but natural also that these state churches should desire a bishop, a resident American bishop, and an effort was made to establish the episcopacy in America. The matter was first proposed by the ill-starred Archbishop Laud, and it was advocated by other influential church-

men. It received the approval of Queen Anne just before her death. Thomas Sherlock, bishop of London (1748-1761), labored assiduously to engraft the system on the American colonies.¹ Many pamphlets were written on each side of the controversy. American clergymen, as a rule, opposed, while English clergymen favored the plan. The controversy stirred Puritan Massachusetts and her circle of influences, and the agitation became a force in destroying English sentiment in the Northern colonies. All of these movements contributed to the general discontent.

¹ Hart, *American Nation*, 63-75.

MATERIAL INTERESTS

The age-long source or ground of misunderstanding, injustice, and oppression was the system of navigation laws. As far back as the fourteenth century, under Richard II, laws were enacted to compel all English citizens to ship their merchandise out of, or into, England in English bottoms on pain of forfeiture. In the latter part of the fifteenth century, under Henry VII, only English-built ships, manned by English seamen, could import certain articles of trade, and in Elizabeth's reign the English shipowner was greatly favored. Therefore, it should not be inferred that the navigation laws of the seventeenth and eighteenth centuries were invented especially to embarrass or destroy American interests. The primary purpose was to encourage Englishmen to build ships that would finally obtain the business then handled by the Dutch, and thus would produce a balance of trade for England.

185. Injustice of the navigation laws

The navigation acts were the chief means in the building up of monopolies in all lines of trade, to the benefit of English trading companies or merchants, who divided profits with the king. The colonies were for a long while exempt from the operation of these laws, but were placed under them in the seventeenth century in the reign of James I.

In 1645 a very restrictive law was passed requiring all goods from the colonies to be transported in English-built ships, owned by native Englishmen, and manned by native English sailors. Later, the term "Englishman" was made to include the colonists, who could then engage in the profitable business. For more than a hundred years the colonies labored under repressive and destructive navigation laws, before active resistance began. One writer says: "From 1651 to 1764 more than twenty-five acts were passed in Parliament regulating trade between England and her colonies. Each succeeding ministry felt it necessary to adopt some new scheme for monopolizing colonial trade, in order to win popularity at home. It was in 1731 when the government began to repress manufacture in

the colonies of the goods made in England; after that date more acts having that end in view were passed."

186. The navigation laws not for revenue

The navigation laws were passed not in the interest of the government of England primarily, but in the interest of the commercial classes, upon whom, in great measure, the general prosperity of the nation rested, and who in turn divided profits with the king, but not with the government. Grenville found that in sixty years the government had paid out nearly thirty-five million pounds on the fleet engaged in American trade, and that in one year the American custom houses received from one thousand to two thousand pounds, the collecting of which had cost seven thousand or eight thousand pounds sterling.

The whole matter was one of English commerce, but it became so pressing that resistance to the everlasting sacrifice of colonial interests to those of England brought up the question of parliament's right to pass laws destructive of *English* rights and liberties.

187. Injurious restrictions of colonial trade

The navigation laws in force at the time now studied, restricted American trade to British markets, compelling colonial merchants to purchase at high prices, to sell at low prices, and to pay the high freight charges fixed by the shipowners, who of course had a monopoly of the carrying business. The sugar planter was compelled to sell his sugar in Great Britain for a low price, when prices were higher in all other markets. The New England business in lumber, fur, and fish was embarrassed by similar arbitrary laws.

The colonists were required to conduct their European business through a factor or wholesale house in Great Britain, for no other reason than that parliament wished to give the business to the British wholesale house. This was called "stapling."

A duty was laid in Great Britain upon farm products so that the American farmer could not ship his crop to a British market, which must be free from competition for the benefit of the British farmer. The "balance of trade," sought by all nations, that would bring in money but send out as little as possible, was Great Britain's ruling desire.

In 1733 parliament passed the Molasses Act, which was intended to prevent the Northern colonies from exchanging their lumber, fish, and manufactured articles, with the West Indies for molasses, which in turn they manufactured into rum and sent abroad in exchange for other merchantable articles. They had built up a very large business in exchanging rum for slaves on the coast of Africa, which slaves they sold to the Southern colonists. The trade was destroyed, not because of any opposition to the rum trade or the slave trade, for both were entirely legitimate at the time, but because of the motive to compel trade with Great Britain, and to give the profit to British merchants, middlemen, and shipowners. Very large amounts of money had been invested in the trade itself, and in ships to carry the goods. Large numbers of men were employed in the business, but all this was sacrificed, without thought of injustice to the colonies, in order that British merchants might profit.

188. The Molasses Act; Effect upon the slave trade; English protected at the expense of the colonists

Although the colonists had had for a hundred years the right to participate in English commerce and ship-building, only a few of the more fortunate and wealthy had been able to profit by it. Restrictions of trade embarrassed them, because all laws were made from the English point of view. Ship-building grew to be an important industry in the North, but the colonists were in the main pastoral and agricultural. The laws bore heavily on thousands of toiling colonists, to build up fortunes for people in England. The fundamental error in the English mind was that the colonies were "possessions" that existed only for the good of England.

GOVERNMENTAL RELATIONS

Belief in the right to liberty had grown more rapidly in America than in England, and the American conception of representation was in advance of the English idea. In England, certain towns or boroughs were given the right to send members to parliament. Old towns died away and still had representation in parliament, while new cities sprang up and

189. Representation

at the time of the Revolution had never had any representation, except in the English sense, which was that every member represented all England.

**190. The
right of
suffrage**

English laws on the subject were illogical, a patch work, and out of date. England had a property qualification for voting, and, for reasons lost sight of, certain possessors of certain rights could vote. "All those who had the right to cook at the common fire could vote." As a result, only about an eighth of the people in England had the right to vote. Others had never had such a right, and hence it was unconstitutional for them to vote. Such conditions were unknown in America. Though it is true that suffrage was not unrestricted with the colonists, yet most of them voted directly for their representatives in the assemblies, and they were consulted about many important matters in their town meetings. They had learned to claim the right to think and act in the affairs of their government. Hence they were unable to see how they were represented in parliament by men for whom they had not voted, and whom they had not seen, and whose names they had not heard.

**191. The
king and
parliament**

Another confusing fact was that they had long looked to the king for their rights. Parliament had had nothing to do with charter rights and grants, and now parliament was showing a wish to dictate. It had not been so before. It was, therefore, unconstitutional. Yet the king and parliament were themselves not quite agreed on this point at that time, and the condition was but additional to other reasons why the authorities in England could not come to an understanding as to the rights of Englishmen.

**192. Am-
bition of
King
George III**

Great Britain and the colonies looked upon the problem of their relations from points of view that were as far apart as were the two countries geographically. England's traditional view had become the "constitution" to Englishmen, very difficult indeed to change. She was hardly competent to judge of the conditions as they really were; and her difficulty was greatly increased by the accession to the throne of George III, whose highest ambition seemed to be to restore to the crown

the usurped prerogative which violently attached to it under the Stuart kings. In those days arbitrary acts of the king had been committed without the sanction of parliament. George III assembled a ministry in sympathy with his view and subservient to his will. With these handicaps British statesmen undertook the solution of the greatest problem that ever confronted a government.

The treaty of Paris closed the Seven Years' war, and left a large war debt, a part of which had been contracted in the defense of the American colonies in the French and Indian war. Moreover, the treaty gave to Great Britain the region between the Atlantic colonies and the Mississippi river. The war debt and the annexation of the trans-Alleghany region to Canada (208) would prove sources of friction. The feeling of dependence upon England for protection against the French or the Indians was removed and a closer view of the relations between the mother country and her colonies was becoming possible and unavoidable. Among the troublesome problems needing solution were the following: (1) Was the American colonist, whose ancestors had emigrated from England a hundred and fifty years previously, an Englishman, having all the rights of an Englishman under the constitution? (2) What were his rights as an Englishman in the colonies? (3) Could England and the colonists agree on the meaning of representation? If these questions, which became burning ones in 1763, could have been settled in a friendly way, there would have been no Revolutionary War, but the participants could not agree on the correct answers to the questions, and so in 1776 the colonists advanced to the broader assertion, not of the rights of Englishmen, but of the rights of man.



KING GEORGE III

193. The war debt; the rights of Englishmen

OPPRESSIVE MEASURES

**194. The
Grenville
policy**

In 1763 Lord Grenville became prime minister to George III, and set in motion a colonial policy involving three main lines of procedure:

1. A more rigid enforcement of the navigation laws.
2. "Internal" and external taxation of the colonists to raise money, a part of which was to pay the debt incurred in the defense of the colonies during the French and Indian wars.
3. The quartering of British troops in America.

**195. "Writs
of Assist-
ance"**

The first steps of the Grenville ministry were to revive the "Sugar Act," and add to the "enumerated" list of taxable articles a number of others. Grenville sought so to enforce the tariff schedules as to make them a source of revenue rather than an expense, as they had been before this date. To bring about a more vigorous and profitable enforcement of the navigation laws, the evasion and violation of which had destroyed England's revenue from this source, he employed a method not unknown either in the colonies or in England — the issuance of what were called "writs of assistance." The writs were originally issued by the Court of Exchequer, which was the king's court for the collection of money due the crown. In the colonies they were first issued by the chief justices, but later by the "superior courts." They were general in their directions and provisions, allowing the officer who held a writ to search any place in the day time, for any article that he believed to have escaped duty at the custom house, and to call the citizens to his assistance. Of course, the authority granted under these writs was greatly abused. And it is equally true that the colonists had come to believe that since these duties were heavy and unfair they ought not to pay them, even though parliament and the king had fixed the tariff.

**196. A trial
case;
James Otis**

On February 24, 1761, the Supreme Court of Massachusetts held a sitting in the old town house of Boston to hear the case of Charles Paxton, who applied for a writ of assistance. Chief Justice Thomas Hutchinson presided. Paxton was represented

by Jeremiah Gridley, one of the best lawyers in the province. Oxenbridge Thatcher and James Otis appeared against the writs. Gridley argued that, since parliament had directed the issuance of the writs, there was nothing to do but obey. Otis, in his reply, was exceedingly bold, and his utterances were very influential in strengthening the spirit of resistance to usurpation. It was in this speech that he used the famous sentence, "Taxation without representation is tyranny," which speedily became a watchword. ✓

The chief justice cast his vote in favor of the writs. Other members of the court reserved their decisions until they could make further investigation. No decision was ever rendered, but writs of assistance continued to issue. The speech of Otis had no legal effect, but it gave words to the latent thought of the people, and opposition formed around the principles expressed in it.

In the matter of the judiciary, the impetuous and narrow prince, King George III, asserted the "royal prerogative" as against constitutional rights, and proposed to appoint judges during good behavior, which meant, of course, subservience to the king's will.¹ To protect themselves, the colonial assemblies provided salaries of judges for only one year at a time. If they could not remove the king's officer, they could refuse to pay him. This contest between the king and the assemblies, which had begun in New York, was carried into other colonies as soon as the king decreed that all judicial commissions should be issued during good behavior. **197. The "royal prerogative"**

In the development of the Grenville policy, the prime minister introduced a resolution in parliament, March, 1764, expressing the belief that it would be necessary to tax the colonies to help in bearing the expense of a standing army to be kept in America for their protection. The resolution passed without debate. He then called the colonial agents together to see if they could **198. A stamp act proposed**

¹ Benjamin Pratt, chief justice of New York, said: "The people ought to be ignorant; and our free schools are the bane of society; they make the lowest of the people infinitely conceited."

propose any method of taxation or any other means whereby the colonists would willingly help to bear this expense.

The colonies had assisted England in conquering an old enemy. They had furnished their share of men and money — and more — in the French war. They had fought King William's war, 1689-1697, Queen Anne's war, 1702-1713, and King George's war, 1744-1748, without assistance from the mother country. They had quelled many an Indian uprising,



STAMPS AUTHORIZED BY PARLIAMENT FOR USE IN THE COLONIES

and could take care of themselves. Since the French had been drawn off the continent, they saw no reason for a standing army, and somehow they had the idea that a standing army was a menace to their liberties. They said, "Taxation without representation is tyranny." They said that it would take all the circulating medium out of the country to pay for the stamps; and they said other things.

199. The
Stamp Act
passed

But parliament had a different view of the matter. Great Britain had just closed an expensive war in protection of the colonies. The regular troops had just subdued the Pontiac uprising against the English in America. A standing army would be a protection against the Indians now in the western woods from the Alleghanies to the Mississippi, or other enemies that might appear. It was not proposed that the colonists should be taxed to support the home government.

The bill passed parliament March 10, 1764, by a vote of 205 to 44 in the House of Commons, and in the House of Lords

“without debate, division or protest.” It provided that all books, newspapers, deeds, notes, and other legal documents should be printed on stamped paper. Franklin and Otis were so confident that the colonists would acquiesce that they suggested some of their best friends for appointment as stamp officers. Honest and true patriots at first accepted the offices, but afterward gave them up. A stamp tax was not a new idea in America. It had been suggested by Sir William Keith, governor of Pennsylvania, in 1728, and again in 1732. It had been discussed by the governor of New York in 1744, and proposed by Governor Shirley of Massachusetts in 1754 and 1756.



BURNING STAMPED PAPER

Franklin had opposed the measure as a matter of policy, but he did not anticipate the violent opposition that it was to meet. He suggested that the necessary amounts be assessed against each colony in an aggregate sum. He was unable to answer the prime minister's question how the total should be divided among the colonies — a question that was troublesome later.

THE RIGHTS OF MAN

Martin Howard of Newport, in arguing the cause of the loyalists, said in substance: (1) The colonists have no right to nullify the acts of parliament. (2) Under their charter they have only “civil rights,” and not political rights. They have

200. The rights of the colonists as Englishmen

the right to life, liberty, and property, but the political right of representation in parliament is a conferred right when it is possessed at all. Political rights are specifically conferred, and when not thus conferred they are not possessed by Englishmen anywhere. They are not conferred in commercial charters.

(3) Colonists are not exempt from taxation because they do not send members to parliament, or vote for them. In parliament they are represented as every other English subject is represented. . . . At the time of the passage of the act he said, "Birmingham and Manchester had no representative, although they were large and important commercial centers." . . . "Therefore," he concluded, "the colonists may justly challenge



PATRICK HENRY

the wisdom of a particular measure of parliament, but not its jurisdiction." Such was the English idea of representation, but in the colonies, the changes were rung on the right of Englishmen to be taxed only by their representatives — and they had no representation in parliament. Franklin and Otis, seeing the storm, recommended that America be allowed representation in parliament, but the suggestion was regarded as impracticable

both in England and America. It should be borne in mind that the navigation acts were never discussed as tax measures until after the close of the French and Indian war. These were regarded as laws to promote the interests of trade. In fact, they never produced any revenue to the government, because it required more money to enforce collections than was produced to the government by the custom house duties; moreover, they were easily evaded. The stamp act, however, could not be evaded; it was self-executing, and it would produce a revenue

that would reach the exchequer. Such was the theory of the British government, and yet, in the conclusion, it was found that the revenue arising from the sale of stamped paper was but £4000, a sum not sufficient to reimburse the exchequer for the cost of putting the law into effect.

The first overt opposition came from Virginia under the impetuous leadership of Patrick Henry in his famous speech in the house of burgesses in favor of the five resolutions which he proposed against the acceptance of the stamp act, closing the

201. Oppo-
sition to the
stamp act
develops
resistance



PATRICK HENRY ADDRESSING THE VIRGINIA ASSEMBLY

speech with the fiery words: "Caesar and Tarquin each had his Brutus, Charles I had his Cromwell, and George III may profit by their example. If this be treason, make the most of it." He maintained that the colonists had been governed by "their own assembly in the article of taxes and internal police" and had not forfeited their right, and that the representatives of and in Virginia were the only power having the right to tax the people of Virginia. The sum of his contention was that parliament had no right to legislate on the internal affairs of Virginia.

Unfortunately, about the time when popular indignation was aflame on account of the stamp act, parliament passed the bill to quarter a part of the standing army in America at the expense of the colonies. Then, under Samuel Adams of Boston,

the most watchful and earnest of patriots, Massachusetts followed Virginia in active organized opposition to British aggression.

When the stamped paper was sent to America trouble began. The home of Lieutenant Governor Hutchinson, who was also chief justice of Massachusetts, was attacked, and his papers and books were destroyed or scattered. Stamp officers were insulted and their places of business were sacked. The opposition became so violent that no American would accept the office of stamp distributor.

**202. The
Stamp Act
Congress**

The Virginia Resolutions, drawn and pushed through the assembly by Patrick Henry, were printed and scattered quickly throughout all the colonies.



WILLIAM PITT

“While Virginia was raising the standard of resistance, Massachusetts pointed the way to union.”

On June 6, upon motion of James Otis, the Massachusetts assembly suggested that all assemblies then in session be invited to elect delegates to meet other delegates in New York, October 7, 1765, to discuss the dangers that might arise from the stamp act. On the date named, all but New Hampshire had sent delegates.

The convention, or congress, was composed of the notable

men in the colonies. Its tone was respectful and loyal, but determined. It expressed itself in a Declaration of Rights. The rights claimed in this document were those of “natural born subjects.” The congress asserted that the people of the colonies “are not and from the nature of their local circumstances cannot be represented in the House of Commons, and that no taxes can be constitutionally levied upon them but by their respective legislatures.” They referred to the fact that the trials of cases under the stamp act were to be held in the

courts of admiralty, and they asserted that trial by jury is the inherent right of British subjects in America.

The spirit of resistance and of union grew rapidly after the work of this congress was made known. The colonists had at last learned how to "pull together," to forget temporarily, or to ignore, their small jealousies, sinking them in the good of the whole. The resistance to the stamp act became universal. Stamp officers resigned. The stamps were stored at the docks in ships, or destroyed. "Non-importation" societies were formed and resolutions to refrain from using British-made goods were passed and kept. English merchants failed for lack of American business. The Grenville ministry saw the disastrous effects of its policy, and King George became weary of parliament's blunders. The ministry resigned. A large party sprang up in parliament, who, as a matter of statesmanship, were America's friends, and who believed that the colonists were fighting for the freedom of Englishmen everywhere. Names dear to all Americans are Burke, Camden, Conway, Barré, and the greatest of them all, William Pitt. It was Barré who first referred to the American patriots as "Sons of Liberty," a name to conjure with later. Unfortunately, about the time of the fall of the Grenville ministry, Pitt retired from parliament. The stamp act was repealed in 1765 by a vote of two to one in parliament, after the Grenville ministry fell. With its repeal, there was passed the "Declaration Act," proclaiming that the stamp act had been repealed as a matter of policy, and that parliament had full power to make any laws whatsoever to be binding on the people of the colonies.

203. Effects of the Congress; repeal of the stamp act



EDMUND BURKE

In America the declaration act was regarded as mere bluster.

204. A question of right; the Townshend Acts

"The great principle of English law that taxation was not a *right*, but a gift of the persons taxed, through their representatives, was claimed by the colonies." William Pitt had held that a colony could be taxed only by its representatives. The American idea of representation was irreconcilable with the English idea of "virtual representation." It was argued on the one side that the rights of the colonists were found only in their charters. On the other hand the colonists asserted that they dealt with the king and not with parliament; therefore, parliament could not tax them. They were afraid to admit parliament's right to levy "internal tax." It had already "regulated" their trade until in some instances it was destroyed; now to admit the right of direct taxation, where would the matter end?

Charles Townshend, chancellor of the exchequer, pushed through parliament a list of laws which have been summarized as follows:

(1) To provide for colonial revenue an importation duty on wine, oil, glass, paper, lead, tea, etc. (2) Revenue so raised was to be used in paying the salaries of governors and judges, thus making them independent of the colonists. (3) To improve the custom house service. (4) Writs of assistance to be employed. (5) Revenue cases to be tried in admiralty courts without juries. (6) Suspension of the New York legislature because it refused to vote supplies for English troops.

The whole fight was reopened and with greater earnestness on both sides. To the Townshend acts resistance was more prompt, deliberate, and effectual than to the stamp act. Massachusetts, through Samuel Adams, put all the town meetings to work again; the whole province responded to the suggestion from Mr. Adams, to use no more English goods. Virginia followed promptly. A letter sent to all the colonies encouraged vigorous measures, though it breathed loyalty to the king.

205. The Virginia Resolutions

As an enforcing measure, parliament had authorized the king to revive an old statute of Henry VIII, which provided that persons might be transported to England to be tried for

crimes committed outside the realm. This statute was specially offensive to Americans.

In May, 1769, the Virginia assembly passed resolutions to the effect:

(1) That not parliament, but the council and king, or their representatives, possess the sole right to tax Virginia. (2) That one or all of the colonies have the right to petition for redress of wrongs.¹ (3) That it was unconstitutional to transport a man to England to be tried for crimes alleged in America, or to deprive a man of the right of trial by jury.



SAMUEL ADAMS

Upon the passage of the resolutions, the governor dissolved the assembly, but many of the members soon met elsewhere and resolved again on the non-importation of English goods. In this assembly were Henry, Jefferson, and Washington.

When the Massachusetts circular letter went out (204) the British government ordered the assembly to rescind the letter, and the assembly refused. The assembly was dissolved, and all colonial governors were directed to dissolve any assembly that attempted resolves or protests touching the acts of parliament. These orders were followed by sending troops to Boston, and by the law requiring persons charged with crime to be sent to England for trial.

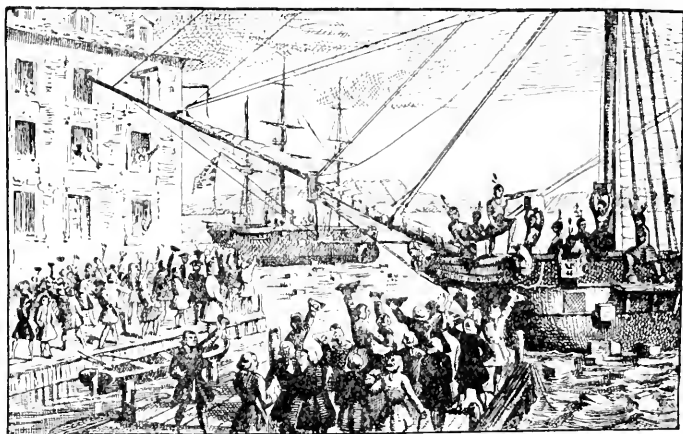
In its purpose of quartering troops in America, the government was expending about £160,000. The revenue was small; the colonists were showing a rebellious spirit; English merchants were being forced into bankruptcy on account of the self-imposed non-importation agreements, and the English cause was lost.

¹ Parliament had held that the colonies had no right to petition parliament on a question of taxation.

206. Pro-
gressive
coercion in
Massachu-
setts

207. Town-
shend Acts
partly
repealed;
Boston
Indians

All duties were repealed except the tax on tea, which was left on in order to show that parliament had the right to make the levy. The duty was so small that the tea cost less than in England, but the colonists could not be forced to drink tea.



THE BOSTON TEA-PARTY

From an old print

Some cargoes of tea were in ships in Boston harbor. A sound as of Indians was heard by night, and next morning the tea was in Boston harbor.

**208. The
Punitive
Acts; the
Boston
Port Bill**

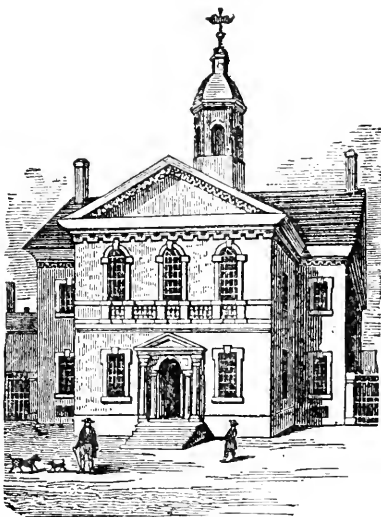
The parliament now passed five acts to crush the rebellious spirit of the colonists, and especially to punish Boston: (1) The port of Boston should be closed until the town submitted. (2) Certain provisions of the Massachusetts charter, granted by William III, were revoked by parliament. (3) Persons charged with certain crimes might be sent to England for trial. (4) Soldiers might be quartered in Massachusetts, at parliament's pleasure. (5) Canada was granted religious freedom and trials according to the French civil law, and Quebec was made the capital of all the territory beyond the Alleghanies.

The climax of British aggression was reached when the Boston Port Bill was passed. The cry went through all the colonies that

the cause of Boston was the cause of all. Provisions and supplies were freely sent to Boston from other colonies. Committees of correspondence soon began work in each colony to inform the people concerning what was being done. The first machinery of the Revolution was about ready.

To enforce the new coercive measures, General Gage was sent to Boston as governor. Again Samuel Adams proved his title to leadership; through the general court of Massachusetts he secured the passage of a resolution inviting all the colonies to meet in conference or congress, and on September 5, 1774, the deputies from twelve colonies met in Philadelphia. With the

exception of Franklin and Jefferson, all the prominent political leaders were present. Georgia was not represented, her royal governor having succeeded in preventing an election of deputies. The congress agreed upon a Declaration of Rights, embodied in nine resolutions, and demanded the repeal of eleven acts of parliament repugnant to these rights. It advised the colonies to cease commercial intercourse with Great Britain until the mother country should repeal the acts complained of, and an association was formed for the purpose of furthering the boycott, as it would be called in modern days. The congress also addressed a loyal petition to the king. A recommendation was made that the colonies meet again by deputies on the 10th of May, 1775, unless more favorable conditions should ensue. This congress dissolved on the 26th of October. Its functions



CARPENTERS' HALL, 1774

Where the First Continental Congress met

209. Gage sent to Boston; the work of Congress; its functions

had been only advisory; its deputies, delegated by the several distinct colonies, represented only their respective colonies, at whose charge and expense they had undergone the labors entailed. Probably the greatest good accomplished was their furnishing common guidance to the assemblies, many or all of which passed resolutions endorsing the work of the congress and taking steps to abide by its recommendations.

**210. The
revolution
of Massa-
chusetts**

In September, while congress was in session at Philadelphia, General Gage, who had been made royal governor of Massachusetts, as well as commander-in-chief of the British forces,



JOHN HANCOCK

called the general court to meet at Salem. The representatives met, resolved themselves into a provincial congress, and moved to Cambridge, where they took charge of all the state government outside the city of Boston, and organized a military force known as minutemen, one fourth of whom were commanded to be always ready for action. A committee of safety was also created, with John Hancock as chairman. These acts constituted the Revolution of

Massachusetts, and the creation of a state in opposition to the state of Great Britain.

**211. Acts
of violence**

While the political excitement was at its height, there had been actual resistance by force to the measures of king and parliament. Near Philadelphia, the guns of a fort had been spiked. A sloop owned by John Hancock had been seized by the revenue officers, and the officers had been frightened away by a mob. The British troops in Boston, exasperated by the insults of a crowd of unruly men and boys, had fired into the mob, killing or wounding eight or ten of them. This act had increased excitement to rage. An English armed vessel, the *Gaspee*, had run aground on the Rhode Island coast and had been burned

by a party of men from Providence. Here and there, revenue officers had been roughly handled, one of them receiving a coat of tar and feathers.

To arrest John Hancock and Samuel Adams, and to seize some military stores the committee had collected at Lexington and Concord, Gage despatched a column of troops under Colonel Smith and Major Pitcairn, on the night of April 18, 1775. But the patriots had discovered the movement, and two swift messengers, Paul Revere and William Dawes, rode out of Boston at mid-



THE BOSTON MASSACRE

From an engraving by Paul Revere

night to give "the alarm through every Middlesex village and farm." By the time the British reached Lexington, the "chief traitors" had made their escape, and the minute-men had rallied to defeat the purpose of the British. Pitcairn ordered the rebels to disperse, and firing began on both sides. Eight of the minute-men were killed, and some of the troops were wounded.

Pitcairn then marched his force to Concord and destroyed all stores that had not been removed by the Americans. But the few minute-men who had run away from Pitcairn's regulars had not intended to yield the day. At Concord bridge the patriots began to assemble in such numbers that Pitcairn ordered a retreat to Boston. But for a reënforcement with cannon, the column would have been annihilated by the farmers. The

212. The
battle of
Lexington—
April 19,
1775

British lost nearly three hundred men. "War was inevitable." An army of 16,000 men soon assembled around Boston.

SUMMARY

The American colonies having for a century and a half developed almost independently, their Revolution was a natural consequence of great divergence from the mother country in ideals, policies, and interests. From the beginning of colonial life ultimate union and independence were inevitable unless there should be such development in the mother country as would necessitate hearty recognition of equality and of individual rights. Long years of common hardships, struggles with hostile neighbors, remoteness from Europe, growing power of self-support, — these and other influences were gradually welding the colonies together and creating a consciousness of common interests. In a word, all unknown to themselves perhaps, they were becoming a nation; and the assertion of nationality and of its corollary, independence, must certainly follow. The navigation laws, the debts from the French and Indian war, the stamp act, the writs of assistance, the Boston Port Bill, the Townshend duties, the burning of the *Gaspee*, the energetic leadership of Samuel Adams and Patrick Henry — all these are but movements of the fundamental Cause.

REVIEW QUESTIONS

1. When and where were the seeds of the Revolution sown?
2. In what sense was the French and Indian, or Seven Years' war, a preparation for the American Revolution?
3. What was America's view of the obligations entailed by that war?
4. Show England's viewpoint.
5. When was separation first talked of?
6. What three general purposes did the Parliament have during and after Lord Grenville's administration?
7. In what three ways, in general, did the colonists assist England?
8. Did the colonists regard the navigation laws as tax laws?
9. What is internal taxation?
10. Did the American subjects have all the rights of Englishmen?
11. Were charters granted by kings or by parliament: which? What effect would this question have on parliament's rights to tax the colonies?
12. Trace England's efforts to subdue the colonists and enforce her laws.
13. Show how the colonists endeavored to resist.

CHAPTER XI

THE REVOLUTIONARY WAR

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SEPARATION AND AUTONOMY

In the war which she had begun, Great Britain would find both advantage and difficulty in the geographical conditions of the country which she had undertaken to subdue. The coast line, indented with harbors, and with rivers flowing into the sea at convenient intervals, at first offered to a powerful navy little resistance beyond that of inertia, which condition, however, might prove distinctly embarrassing from the fact that it was temporary and therefore invited a naval commander to possible destruction through necessity for his acting with extreme haste in seizing important towns on the seaboard. But in holding even Boston, the storm center of insurgency, the British power was already largely occupied; and, in the end, events proved that while the coast towns might be taken, their capture would cost more than the results were worth; for the strength of the American colonies was not in the cities, but in the rural regions, where every man and boy knew every stream and mountain, and no column of British ever left the coast and marched into the interior without sooner or later coming to grief. It is true that in the South, toward the close of the war, the British held much territory; in that quarter, for various reasons, the people were

213. The hindrances to invasion

more divided in sentiment, and the invaders found there more sympathy and more of active assistance. Yet the South itself proved to be the grave of British hopes.

214. The
two peoples
and their
sentiment

As to comparative resources, the disparity of course was enormously in favor of the British. Population, experience in war, disciplined troops, financial ability that could satisfy the foreign princes who, for pay, sent their soldiers to fight and die in a cause for which they felt no interest, everything, viewed superficially, seemed to point to British success. The colonies had no money and no financial system. In the nature of the case they had no credit. Their government, hardly deserving the name, was a makeshift, tolerated because of temporary necessity, a government without power to collect taxes, a government depending upon the will of thirteen other governments which had some actual power and frequently exercised it to the disadvantage of the common cause. The population of three millions, not one third that of Great Britain, included half a million negro slaves and half a million people who were loyal to the king. The loyalists, or Tories, more numerous in the South, because that section had not suffered as much as New England at the hands of the king and parliament, were in every colony; in many instances they furnished supplies to the British and otherwise gave them active assistance. Yet Britain's people also were divided as to the justice of the war on the colonies, and the division grew more marked as the war continued. Although men like Pitt, Fox, and Burke and their followers expressed sympathy for America, even early in the conflict, the majority of the English people had not realized that America was fighting for the rights and liberties of the world, including Englishmen. They upheld the king and his ministers in "distressing America," and it was only after the surrender of Burgoyne that there was, in England, significant opposition to the war in America.

215. Mili-
tary power
contrasted

The greatest number of American troops in the field at any one time was 35,000 men, divided into continentals, state militia, and volunteers. The latter classes were mustered

into service as the state in which these soldiers resided was invaded, and were mustered out, or rather they quit the army and went home, when the danger to their state had passed.

If Great Britain had believed it to be necessary she could have put 300,000 disciplined men into the field at the beginning of the war, but, fortunately for the colonies, she did not realize the extent of the sentiment of Revolution until 1778, and by that time necessity for meeting other demands upon her military resources reduced her ability to keep up her armies in America. She had, for the times, a powerful navy which she could send against the few merchantmen converted into American men-of-war.

The colonial army before Boston faced a very serious condition through lack of munitions — gun-

powder and heavy artillery being sadly deficient — and it was not until the winter of 1776 that partial relief was brought from Ticonderoga, Crown Point, and St. John's, which had been captured in May by volunteers under Ethan Allen, Benedict Arnold, and Seth Warner. The stores and guns captured in these forts were hauled to Boston on sledges over the frozen snow in the dead of winter, to be used by Washington in the spring of 1776.

On the day that Ethan Allen and his men chased the fleeing guard, in hot haste, into the fort at Ticonderoga, May 10, 1775, and demanded the surrender of the fort in the "name of

216. Cap-
tured forts
and stores



RUINS OF FORT TICONDEROGA,

217. The
functions of
congress;
its services

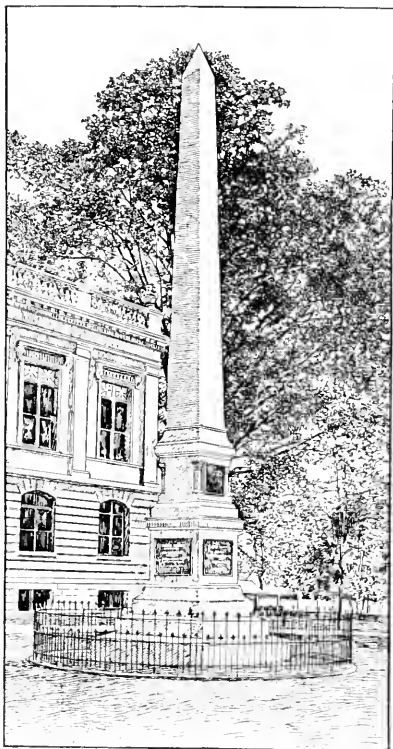
the Great Jehovah and the Continental Congress," the Second Continental Congress was assembling in Philadelphia. This body, forced by the exigencies of the times, gradually but rapidly assumed both legislative and executive functions for the entire country that was in revolt against Great Britain. Many important matters of a general nature imperatively demanded attention, and there was no other organization that could be employed. Questions of authority gave way rapidly to questions of expediency and necessity. The result was the assumption of powers necessary to wage a successful war in the name of all the colonies. The first great necessities were a commander for the force already in the field, the increase of that force in numbers and efficiency, and its development into an organized federal army. Congress assumed control of the conditions and, upon motion of John Adams of Massachusetts, selected George Washington of Virginia to be commander-in-chief. It advised and urged the colonies to arm their militia. On July 6 it resolved "that we have taken arms against violence and we shall lay them down when hostilities cease on the part of the aggressor; our cause is just; our union perfect."

Congress issued calls for troops and recommended that each state furnish its quota, but it could not compel compliance with its recommendations or orders, and the old colonial jealousy hindered prompt responses. Besides this handicap, Washington was further embarrassed, at times, by the failure of congress to grant his urgent requests because the members could not agree. The committees appointed by congress to supervise the branches of the military service frequently failed to get the correct point of view and to comply with the demands of the general, which at times necessity made imperative. On the whole, however, the committees were helpful both to congress and to Washington. "Committees of Correspondence" were appointed in the states to gather and furnish information.

Whenever a royal governor left his colony for any cause, the congress advised and urged the people to organize a state government modeled after the charter. In the absence of such

a model, they were urged to form a government best suited to their needs. Nevertheless, the congress continued for a time to place common grievances before the king; after independence was declared, it appointed ambassadors and sent representatives to foreign courts except, of course, the court of Great Britain; it devised a crude postal system to be administered by committees; it negotiated loans and issued continental money; it prohibited the slave trade, mediated between states on boundary line disputes, and appointed prize courts to decide in cases of seizure and captures on the high seas, and other maritime questions.

The purpose to separate from the mother country, vague and weak even after the contest had begun and congress had taken charge of affairs, grew rapidly in definiteness and in strength as Great Britain's obduracy became apparent. A representative and not a primary body, congress could not proceed without authority from the various colonies. Although colonial action had been outside of British warrant ever since the fight at Lexington and Concord, yet separation had been assumed, not declared. The convention in Mecklenburg county, North



218. Move-
ments to-
ward inde-
pendence

MONUMENT TO THE SIGNERS OF THE
MECKLENBURG DECLARATION AT CHAR-
LOTTE, N. C.

Carolina, on May 20, 1775, gave expression to thoughts that were in many minds, and it contributed to making clear the trend of events and to giving impetus to the general movement toward independence. In fact it was a virtual declaration of independence by a small group of people.

Samuel Adams had seen and declared as early as 1768 that separation from Great Britain was the inevitable end of move-

ments then apparent. The conservatives believed that Adams was a mere agitator, an extremist, and a fanatic. In 1775 Patrick Henry, in the house of burgesses in Virginia, electrified a continent with wild words that have never lost their charm. In March of the same year, Benjamin Franklin, who had represented several colonies abroad, returned to the continent, believing that nothing more could be done through diplomacy.



BENJAMIN FRANKLIN

When two assaults by British regulars under Howe had been repulsed by the raw American troops, and the third at last had succeeded because the militia had no more powder, Great Britain and the world knew that the Americans could fight, and that they were ready to lay down their lives in defense of their country, which, after that time, meant America.

219. Bunker Hill; Petitioning the king — 1775

Although congress had declared by resolution, July 6, 1775, that hostilities must first close on the part of the aggressor, and the battle of Bunker Hill had since been fought, peace was again urged through John Dickinson in the petition to the king to repeal "such statutes as more immediately distress your Majesty's colonies." The king deigned to answer the petition by declaring that the colonies were in open and armed rebellion, and "by sending armies, fleets, and hired myrmidons."

In January, 1776, the delegates from Massachusetts were instructed to vote for separate independence. In March South Carolina had adopted a constitution and had organized a complete government. In April the North Carolina legislature had empowered its delegates in congress to vote for independence. Georgia took the same action in the same month. New Hampshire went a step farther and empowered her delegates to propose independence and a union into one republic. In May a convention in Virginia requested the delegates to the congress to propose independence, and in June the Virginia convention adopted a state constitution and created a state government.

On June 7 Richard Henry Lee of Virginia offered in Congress a resolution that "these United Colonies are, and of right ought to be, Independent States." The resolution was referred to a committee which



RICHARD HENRY LEE

was honored with the duty of preparing a Declaration. Meantime, the delegates in congress were diligently consulting the people at home, and by the time the committee reported it had become evident that the desire in the states for separation was practically universal.

On the second of July the Resolution was passed, and on the fourth the document prepared by the committee was accepted and formally enacted into law. On August 2 it received the signatures of the members present in congress.

There have been very many dissertations upon the literary merits of the Declaration, and much criticism has been aimed at its apparent lack of originality. Jefferson, its author, said he had not regarded it his duty to be original. The fact is that originality, either in expression or in idea, would have been monstrously out of place. The document simply embodies

220. Independence declared

the spirit of the time; it is not Jefferson, or Franklin, but the People, speaking through their mouthpiece. Yet the Declaration, simple in form, possesses a content which is more than mere assertion of independence of Great Britain's government. The great meaning beyond the documentary words is a closer union of the states in order to effect the well-being of each. After the Declaration of Independence there was no middle

When in the course of human events it becomes necessary for ^{one} people to dissolve the political bands which have connected them with another, and to ~~assume a new and separate station~~ ^{which they have a right to assume}, as some among the powers of the earth, ~~the equal and independent station to~~ ^{separate and equal} which the laws of nature & of nature's god entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to ~~the~~ ^{the} separation.

We hold these truths to be ^{self-evident}, that all men are created equal & independent; that ~~from that equal creation they derive~~ ^{they are endowed by their creator with equal rights}, among ~~which are~~ ^{which are} life, liberty, & the pursuit of happiness; that to secure these ~~rights~~ ^{rights}, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government ~~shall~~ becomes destructive of these ends, it is the right of the people to alter

FACSIMILE OF THE FIRST TWO PARAGRAPHS OF THE
DECLARATION OF INDEPENDENCE

In the writing of Jefferson

ground. Each man must choose whom he would serve. The united colonies were no longer British dependencies, but a country fighting a foreign invader.

WASHINGTON'S CAMPAIGNS: 1775-1777

221. Boston
evacuated
Washington
at New
York—1776

In the meantime, on July 3, 1775, Washington had taken charge, at Cambridge, of the body of loosely organized, undisciplined troops, most of whom were from a section of the country distant from his home, and had begun the difficult task of reducing it to a disciplined American army. In the autumn he sent General Montgomery and Benedict Arnold against Canada.

The expedition was a failure. Montgomery was killed, and Arnold, after gallant and distinguished service, was severely wounded at Quebec. The remnant of this expedition was rescued in the following spring. In March, 1776, Washington seized Dorchester Heights, which gave him command of Boston and of the shipping in the harbor. Howe, who had succeeded Gage in command of Boston, then sailed away to Halifax.

Well aware that the Hudson river offered the British a line of advance by which they might cut the colonies into two divisions, Washington transferred the greater part of his army to New York City in May and prepared for defense.

Meanwhile, Arnold was coöperating with Schuyler and Gates in an effort to drive back the British who were advancing from Canada under General Carleton. In October Carleton gained a victory on Lake Champlain, and the Americans retreated to Ticonderoga, from which position the British general decided it would be useless to try to dislodge them on account of the lateness of the season, and he returned to Canada, making it possible for Schuyler to spare a part of his army to reënforce Washington in New York.



A CONTINENTAL
SOLDIER

After the picture by
Chappel

On June 29 the reënforced fleet from Halifax appeared in the lower bay, bringing General Howe with 15,000 troops from Boston. A month later Admiral Howe, brother of the general, arrived from England and General Clinton returned from the expedition against Charleston (232). Washington soon saw that the British so far outnumbered his little army that it would be worse than useless to give battle at New York. With great skill he withdrew in safety after an unfortunate combat on Long Island, and took position on the east side of the Hudson about thirty miles up the river.

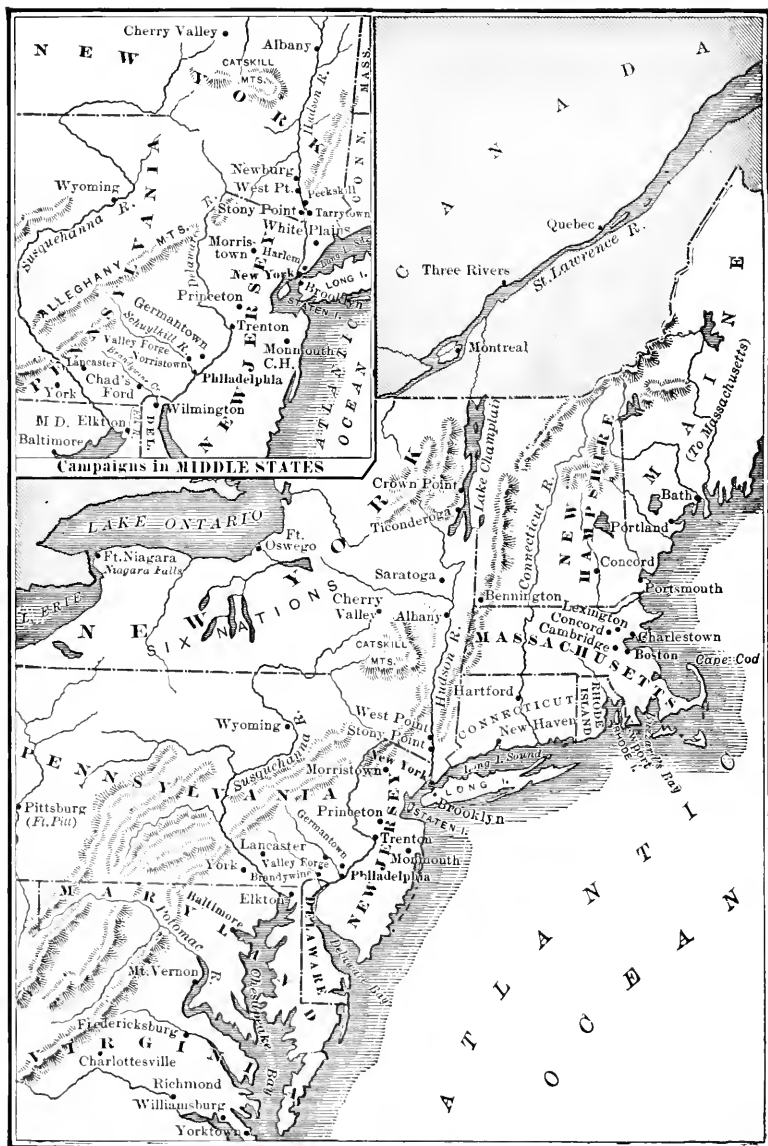
222. Long
Island;
Washington's retreat
across New
Jersey;
Trenton —
1776,
Princeton —
1777

Forts Washington and Lee, on opposite sides of the Hudson

just above New York, fell into Howe's hands with three thousand prisoners of war. Anticipating a movement against Philadelphia, Washington, on November 12, 1776, divided his army, leaving a part under General Charles Lee,¹ east of the Hudson; with the other division he crossed the Hudson and retired toward Philadelphia, closely followed by Cornwallis. General Howe, the commander-in-chief of the British in America, endeavored to create loyalist sentiment, offering pardon to all who would desert the Americans and return to their old allegiance. His proclamation encouraged the Tories and caused desertions from Washington's army. When the little American army crossed to the west side of the Delaware, its pursuers found no boats. Lee's division, under Sullivan, had reënforced Washington. On December 12, congress, fleeing before the British army, left Philadelphia to meet again in Baltimore on December 20. The country was in despair. Washington wrote to his brother: "If every nerve is not strained to recruit the army with all possible expedition, I think the game pretty nearly up." Yet the British went into quarters along the Delaware, waiting for the river to freeze; then they would march over Washington's army into Philadelphia.

But Washington had been driven to the limit. "Necessity," he writes, "justifies an attack." He crossed the Delaware on Christmas night, surprised and captured a thousand Hessians in camp at Trenton, fell back to the west side of the Delaware with his prisoners, sent them into the interior, and recrossed to Trenton on December 29, where he took position between the detachments of the British army. Cornwallis, charged by Howe with the task of destroying Washington, found himself out-maneuvered at Princeton (January 3, 1777),

¹ The General Charles Lee here mentioned was not a member of the distinguished Lee family of Virginia, famous later in the history of their country. He had been ordered repeatedly to leave his camp east of the Hudson and rejoin Washington in New Jersey. Finally, on December 4, he crossed the Hudson and took up his march leisurely to Vealtown, reaching that town on December 12. Taking quarters at a tavern several miles from the camp of his army, he was captured the next day by the British, who learned of his carelessness and his exposure through a Tory. Exchanged in the spring of 1778, he returned to service under Washington.



REFERENCE MAP FOR THE REVOLUTION
NORTHERN AND MIDDLE STATES.

where Washington gained a signal success. Washington then marched to Morristown and went into winter quarters. The British detachments in New Jersey fell back to New York and, as they went, the farmers "pulled down the red rags from their doors" and shouted for independence at sight of the first continental soldier.

THE HUDSON RIVER CAMPAIGN: 1777

When Washington withdrew from Long Island he left the British under Howe in possession of New York, while he retreated before Cornwallis through New Jersey to protect Philadelphia. The British now determined to renew their efforts to divide the colonies by seizing control of the strategic line of the Hudson river.

Three armies converging toward Albany, one from Canada by way of Lake Champlain, one down the Mohawk from Lake Ontario, and one ascending the Hudson, encouraged and supported by the many Tories of the country, might easily conquer the state of New York and restore it to the British crown. Burgoyne should advance from Canada by Lake Champlain, Lake George, and the Hudson. St. Leger should advance from Lake Ontario down the Mohawk river, and Howe should ascend the Hudson from New York. The plan was good, but the difficulties were greater than the British could overcome. By a grievous fault of generalship, natural difficulties had been largely ignored, and the strength of the enemy both as to military skill and fighting quality had been underrated. The almost impassable roads, which caused such slow advance that Washington had time to concentrate the northern detachments and so reënforce them that a respectable army under Schuyler stood in Burgoyne's path; the obstacles, which made communication well-nigh impossible and at the same time rendered the

223. Burgoyne's advance; his difficulties; Bennington



FIRST FLAG OF THE UNITED STATES
Adopted by Congress in 1777

movements of supply trains slow and indeed hazardous — everything, seemed to tell against the British from the time they left the lakes. The Americans were too strong to be easily crushed. Washington was at Morristown, Putnam was at Peekskill, and Schuyler at Albany. They knew the country and could easily communicate with one another. And the greatest American general had determined that Howe should not succeed in making a junction with Burgoyne; and without Howe's help, Burgoyne was doomed from the beginning. In the early summer of 1777 Burgoyne moved south from Quebec and easily captured Crown Point and Ticonderoga over on Lake Champlain. But when he left the highway of the lakes and plunged into the interior forests his troubles began. The Americans under Schuyler retarded his advance, while they waited for reënforcements sent by Washington. As Burgoyne approached Fort Edward, late in July, the Americans, greatly outnumbered, retired. The Tories informed him that at Bennington there was a depot of supplies collected by the Americans. Colonel Baum was sent to capture the place but failed, with the loss of the entire column. In a terrible combat the American militiamen stormed the entrenchments of the Hessians, and the rest of them surrendered to General Stark. Burgoyne's situation was now desperate. He had heard that St. Leger had been defeated in the west. He probably should have tried to save his army by retreating to Lake George, but he hoped that the column from New York would very soon cause such a diversion in his favor as to enable him to press forward. He halted at Stillwater and began to fortify his position.

224. Sur-
render of
Burgoyne;
Oriskany;
the river
forts

Congress unwisely superseded Schuyler with Gates, but even that performance could not now save Burgoyne's army, which was thinking only of defending itself in the midst of gathering enemies. Burgoyne threw up intrenchments; they were stormed by Arnold; while Morgan's riflemen quietly picked off commanders. Still Burgoyne held out, hoping to the last for the strangely delayed column from New York. The surrender took place on October 17. By the terms of the convention

the soldiers were to be sent to Europe on condition that they should not serve again in the war against the United States. But congress charged that the British had violated the agreement in retaining surrendered property, and refused to abide by the terms. The prisoners were marched to Charlottesville, Virginia, and many of them became citizens of America.

Meantime Fort Stanwix was being besieged by St. Leger and his Indian allies. General Herkimer, in command of the militia of Tryon county, advanced to relieve the fort, and, in the bloody battle of Oriskany, was mortally wounded; but the British and Indians gave up the field. In this instance they were greatly disappointed in the Tory aid, comfort, and support that they expected. St. Leger's division retreated before the approach of Arnold a few days later.

Early in October, 1777, General Clinton, in command at New York, moved up the Hudson and captured Fort Montgomery and Fort Clinton, but was too weak to extend help to Burgoyne.

THE PHILADELPHIA CAMPAIGN: 1777-1778

While Burgoyne was still on Lake Champlain, General Howe, **225. Battles of Brandywine and Germantown** the commander-in-chief of the British army in America, undertook to march across New Jersey on his way to Philadelphia. Washington opposed with such skill that Howe gave up his purpose and decided to advance by another route.

Leaving Clinton in command of New York, Howe embarked his army in July, and nine days after the disaster at Bennington and three days after St. Leger's flight landed at the head of Chesapeake bay and began his march of seventy miles to Philadelphia. Washington threw his army in front of the British at Brandywine creek (September 11), believing that for the moral effect upon his troops he ought to risk a battle rather than yield Philadelphia without a struggle. The Americans lost, and the British entered Philadelphia on September 26.

The British went into camp at Germantown, a few miles from Philadelphia, and Washington attacked them there. The

battle favored the Americans at first and it seemed that victory was sure, but owing to a dense fog one American battalion fired into another and a panic ensued, which lasted until all hope of victory had vanished. Washington had exposed his person to the hottest fire, and felt that his army had won the day and then lost it unaccountably. The British went into winter quarters in and around Philadelphia, and Washington's army built huts at Valley Forge, twenty miles away.

226. Valley Forge; the Conway intrigue

The devotion and fortitude of the little American army, enduring an intensity of suffering in "the time that tried men's souls," have become proverbial in the history of America, acknowledged examples of heroic quality with which to stir hearts and strengthen arms to resist oppression. Perhaps no greater devotion to country was ever exhibited. It developed later that at least a part of the extreme suffering was due to a lack of organization in the commissary department, for it is now a matter of common knowledge that there were quantities of shoes, clothing, and food side-tracked in transit for lack of money to pay teamsters for delivering supplies to the destitute army.

Add to this the fact that there were intrigues in congress to humiliate and degrade the commander-in-chief upon whose mind and heart rested the full consciousness not only of the suffering of the men under his command, but the welfare of the English speaking world. If strength or courage had failed him the history of the human race would have been written in a minor key from that day to this. Yet the vermin of politics were at work in the congress to embarrass and even displace Washington with a soldier who fought mainly in the field of politics. Conway, who had steered the "cabal," and Horatio Gates, who was to profit by it, made the winter of 1777-1778 hard indeed to bear. But out of it all came a clear light and a brighter hope. Washington became almost absolute in the affairs of the war after that date, while the heroism of the army won confidence abroad. Baron Steuben, who had joined Washington's army, brought it to a high state of efficiency by his

patience and skill in teaching discipline. American patriotism will always cherish the names of DeKalb, Kosciusko, Pulaski, Rochambeau, and Lafayette.

After the congress fled from Philadelphia, the Articles of Confederation were adopted, and thus a long step was taken toward ultimate victory and independence. Early in 1778 the colonies made an alliance with France which aided very greatly in the final outcome of the struggle. France entered this alliance, not through sentiment or from sympathy, but with the view of promoting her own welfare. A young nation that could sustain a war with Great Britain for three years and compel the surrender of an army was worthy of encouragement and would make a valuable ally. The taking of Burgoyne at Saratoga, Washington's brilliant maneuvers before Howe in New York, and the sublime devotion of Valley Forge challenged the admiration of the world and made sure the alliance with France, England's veteran enemy. Aid had been given secretly; it now came freely and openly. In that year (1778) the colonies agreed, by treaty with France, in return for armed support, that they would continue the war until they won independence, and that they would not conclude a treaty of peace without the concurrence of France. By a special article, it was agreed that Spain might enter the alliance at the earliest convenience. The treaty with France was not universally popular. Some feared an alliance with a Catholic nation, and preferred England to France if a choice of masters must be made. It was specially distasteful to New England, where Frenchmen who had led Indian raids were still the ghosts of nightly dreams.

227. Articles of Confederation; the French alliance



MARQUIS DE LAFAYETTE

228. Great Britain's effort to treat — 1778 Lord North, the prime minister of Great Britain, now turned a political somersault and proposed to renounce the right to tax the colonies. After much opposition the bill to appoint commissioners to treat for peace with the colonies passed parliament, March 11, 1778. The proposal came just two years too late. The colonies were now unwilling to consider a continuation of the old relations on any terms. England's only hope lay in again calling to power the ministry of William Pitt, Earl of Chatham, and in following Pitt's policy of withdrawing British troops from American soil and joining America in an alliance against France and Spain, but such action would be a virtual recognition of American independence, and George III refused to have more of Pitt. A few weeks after the colonies and France had formed an alliance, England declared war on France. Then Spain, in the next year, hoping to take back Gibraltar from England, added her forces to those of France, her ally. In 1780 Holland, England's old commercial rival, joined the alliance. Also in 1780 Frederick the Great opened his ports to American vessels and refused to allow Hessian troops bound for British service against the colonies to pass through his territory.

229. Evacuation of Philadelphia; battle of Monmouth The French alliance bore fruit immediately. France sent a fleet to America under Count D'Estaing. In anticipation of its approach, Sir Henry Clinton, who had succeeded Howe in command at Philadelphia, evacuated the town June, 1778, and marched for New York for fear that city might not be strong enough to resist the combined French and Americans.

There was great rejoicing when Clinton left Philadelphia. Washington pursued Clinton toward New York with an army greatly improved in spirit, discipline, and power. He overtook the British at Monmouth and fought a drawn battle, which might have been a victory for the Americans but for the mysterious conduct of General Charles Lee in ordering a retreat which seemed unnecessary. Washington countermanded Lee's order and stopped the retreat, but too late to win the day. The British, during the night, continued their march toward New

York. Lee was tried by a court-martial and suspended from command, and at length was dismissed from the army.

Count D'Estaing arrived in America with a French fleet of 230. Stony Point; Arnold's treason
eighteen ships and an army of 4000 men, but the fleet was damaged by a storm and put into Boston harbor for repairs before it could render service. The British made no further

general movement in 1778, but contented themselves with encouraging their Indian allies to commit atrocities on exposed villages and towns. In the North, from the battle of Monmouth until the close of the war there was little military activity, owing to Clinton's inability to

undertake two aggressive campaigns at the same time, the South demanding whatever reinforcements he could spare from the defense of New York, where Washington was confronting him. But there was a deed of a great and gallant soul, and another deed, that of a traitor, both of which will live forever in American annals. On July 15, 1779, General Wayne stormed Stony Point, a British fortress on the Hudson, and at the point of the bayonet forced the surrender of the garrison. The other deed was



ANTHONY WAYNE

the treasonable correspondence of Benedict Arnold, commanding at West Point, in which he arranged to deliver the fortress to the British for a sum of money and a commission in the army of those he had fought as enemies. The execution of Major André, the British spy who visited Arnold, was justified by all the rules of war; Arnold fled, knowing full well his fate if he should fall into the hands of the soldiers who were fighting for liberty.

When the war began the colonies had no navy and congress had no authority to build one. Merchant ships were fitted out

231. The
American
navy; Paul
Jones

as privateers and sent to prey on British commerce. Before 1778 they had captured more than six hundred British ships, and the British had destroyed more than nine hundred American vessels. The fisheries of Newfoundland, as well as commerce, had suffered severely. In 1777 Lambert Wickes took an American ship across the ocean, Gustavus Cunningham damaged British ships in the North Sea, British Channel insurance rose to ten per cent for a single voyage, and merchantmen were accompanied by men-of-war. Paul Jones, with a fleet of five ships fitted out in France, boldly attacked English vessels off the coast of England. The *Bon Homme Richard* gained a notable victory over the *Scrapis* September 23, 1779. The effect of these engagements on the sea increased foreign interest in American affairs, while the presence of the American flag in foreign waters had an immense moral effect in teaching men and governments to look upon the United Colonies as a nation.

THE WAR IN THE SOUTH

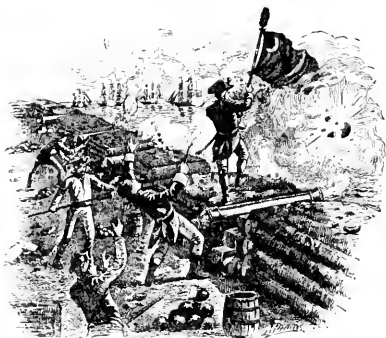
232. Fort
Moultrie
on Sulli-
van's Island
— 1776

In 1776 an expedition under General Henry Clinton sailed from Boston for New York and farther southward. Clinton threatened Norfolk for a time, and then continued his way to North Carolina with the purpose of restoring the royal authority in that state; but he learned that the Tories had been defeated in battle at Moore's Creek; and being reënforced by a fleet from England, under Admiral Peter Parker, a combined land and naval attack was planned upon Charleston. On June 1 the infantry made a landing on Long Island, and batteries were erected. The harbor entrance was defended by Fort Sullivan, a rude crib-work of palmetto logs filled with sand from the beach; it mounted thirty cannon, and was under Colonel William Moultrie with a force of about three hundred militia who had never seen a skirmish except with Indians. The British fleet at length moved up to reduce the fort; but it proved strong, and the militia proved good gunners; the balls from the fleet sunk into the soft palmetto

without splintering, while the Americans deliberately disabled each ship as it came within range. Clinton's forces quickly reëmbarked, and the crippled fleet sailed for New York.¹

On November 3, 1778, Count D'Estaing, commanding a French fleet, sailed from Boston for the West Indies; soon after this event General Clinton sent a force of 3000 men under Colonel Campbell, with a fleet commanded by Admiral Hyde Parker, for the purpose of making a lodgment in the Southern colonies, which had been untouched by war since the battle of Fort Moultrie. The troops landed near Savannah and succeeded in taking the town

233. Savannah taken by the British — 1778



SERGEANT JASPER AT FORT MOULTRIE

after very easily defeating the little army of 1500 Americans under General Robert Howe, who retired into South Carolina. The British troops in East Florida, under General Prevost, were ordered to reënforce Campbell in Georgia.

The British continued to strengthen their forces at Savannah by proceeding to subdue the country, some of their skilled officers being appointed to command bodies of loyalists received into the royal service. The succeeding war in the states of Georgia and South Carolina was a civil war, as much so, perhaps, as it was war with a foreign power. Colonel Boyd, who was killed at Kettle Creek, Georgia, was in command of a body of Tories, while Colonel Pickens, who defeated him, was in command of American partisans. Lieutenant-Colonel Hamilton was a Tory in command of a North Carolina regiment under Cornwallis, and, according to General Henry Lee, "attracted universal esteem." Colonel Ferguson, killed at King's Moun-

¹ The fort has ever since been known as Fort Moultrie, in honor of its commander. It became an important post in the Civil War.

tain, was a leader of Tories and a remarkable soldier. Campbell's conduct toward the inhabitants of Savannah is described as peculiarly kind and amiable. And General Prevost, coming from Florida to take command of the British, continued Campbell's policy of kindness and reaped his reward.

234. The
Tories de-
feated in
Georgia —
1779

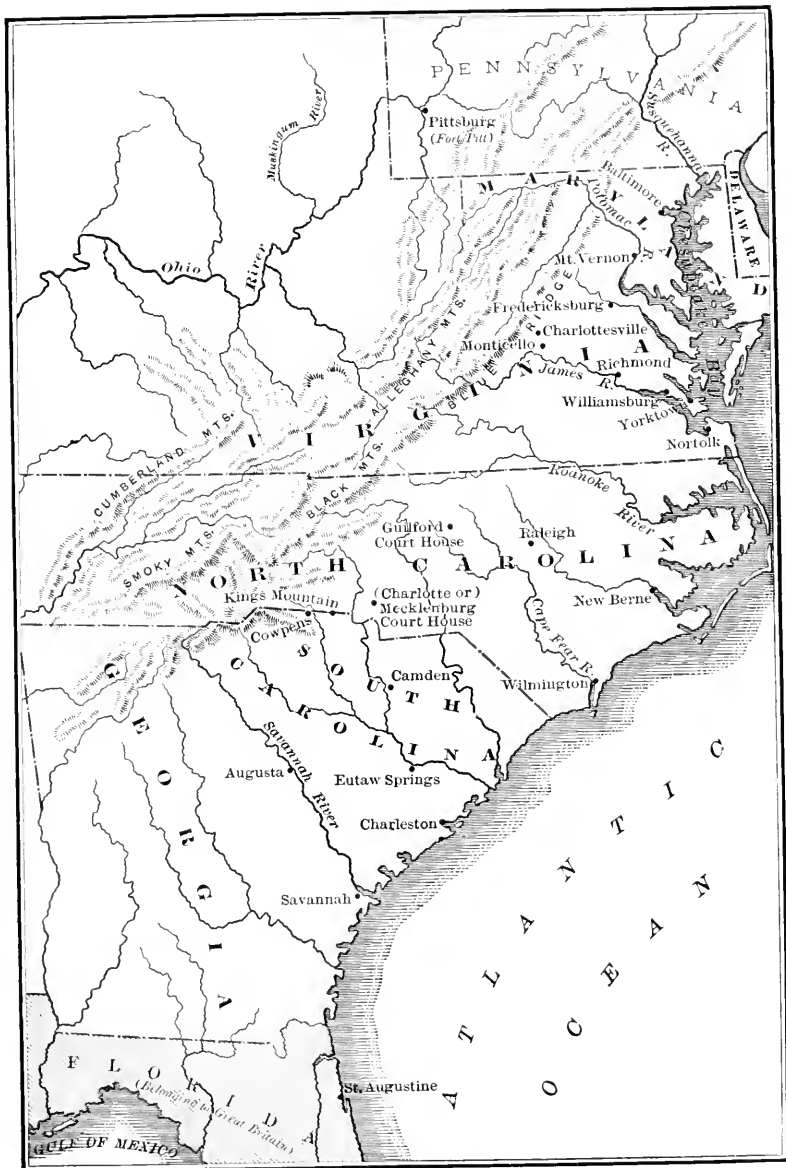
General Prevost sent a detachment under Colonel Campbell to occupy Augusta, from which point Lieutenant-Colonel Hamilton, in command of his Tory regiment, advanced westward, gaining recruits and crushing all resistance. A body of seven hundred Tories under Colonel Boyd was defeated by Pickens at Kettle creek, and only three hundred of them succeeded in reaching Augusta. This was the first success gained by the patriots since the British began the campaign.

235. Lincoln
in com-
mand; Ashe
defeated in
Georgia;
Rutledge

South Carolina and Georgia delegates in congress urged a change of commanders in the South, and General Lincoln was named to supersede Howe. Lincoln succeeded in uniting the American forces, and took position near Savannah on the north side of the river. His force was inferior, but Prevost's army was now in several detachments. Prevost lost almost the whole of one detachment, which was routed by General Moultrie at Port Royal. But General Ashe, with 1500 men, detached to operate near Augusta, was surprised at Brier Creek by the British and a great part of his force made prisoners. This victory relieved all Prevost's fears concerning Georgia, and he proclaimed the reëstablishment of the royal government in that state. It looked as though the South was lost to the cause of independence. But in this trying hour the legislature of South Carolina invested the governor, John Rutledge, with dictatorial powers, and through his vigorous measures the militia in large numbers were enrolled to defend the state.

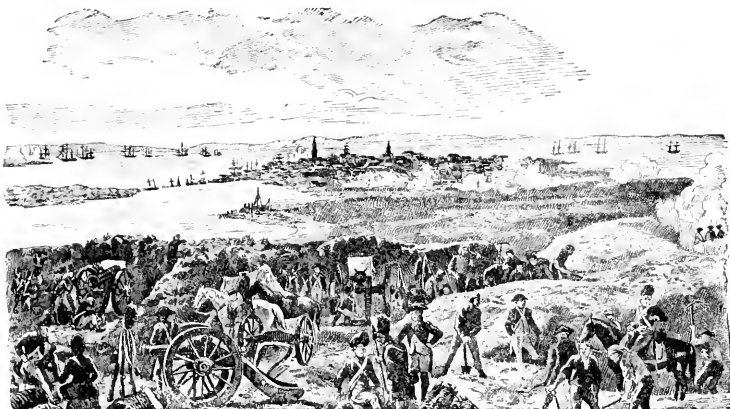
236. Lincoln
and Prevost
maneuver;
Rutledge
proposes
neutrality

At Augusta, now unoccupied by the British, the Georgia legislature was to meet; and to protect it General Lincoln advanced toward the town with his main body, but left a force of 1000 men under Moultrie to defend the road from Savannah to Charleston. Prevost met this movement by advancing toward Charleston in the hope that Lincoln would countermarch



REFERENCE MAP FOR THE REVOLUTION
SOUTHERN STATES

for the defense of that city. Moultrie fell back, sending messengers every day to Lincoln, who kept to his original purpose. Then Prevost, finding it too late to advance and contest Lincoln's march, determined to capture Charleston, now that his adversary could not defend it. But Governor Rutledge, and Moultrie also, threw themselves and their weak forces into the city and made it strong with intrenchments. "Masters and



THE SIEGE OF CHARLESTON

After the picture by Chappel

servants, boys and girls, mixed in the honorable work of self-defence." Still, the condition of the town was desperate, and when Prevost appeared and demanded its surrender, offering favorable terms, the defence adroitly gained a day in discussion before the demand was rejected; and it was at this time that Governor Rutledge proposed that the city and the state be bound by a pledge of neutrality in the further contest between Great Britain and America. Prevost retired without delivering an assault, knowing full well that Lincoln would be upon his back as fast as forced marches could bring him. The British marched southward; and after a partial engagement at Stono, withdrew into Georgia.

237. Americans repulsed at Savannah Governor Rutledge, General Lincoln, and the French consul at Charleston united in a request to Count D'Estaing, then in the West Indies, to coöperate with the Americans in driving the British from the South. The result was the combined operations of the French and American armies against Savannah, October 9, 1779, ending with an assault that was repulsed with great loss. Count Pulaski, an eminent Polish soldier, who, like Lafayette, had offered his services to America, received a mortal wound. The French reëmbarked, and the fleet sailed for the West Indies.

238. Surrender of Charleston — 1780 General Henry Clinton, with Admiral Arbuthnot in command of the fleet, laid siege to Charleston. Lincoln with 5000 men defended the city from March 30 until May 12 against an army double his number, which was shutting him off on the land side, and a fleet in the harbor which was bombarding the town. The surrender of Charleston enabled the British in a very short time to overrun the whole state; and the inhabitants of the rural districts, seeing no hope for the American cause, in large numbers accepted British protection. Yet there were not a few brave spirits who, driven from their homes, joined the partisan leaders of the low country or those of the highlands in a seemingly hopeless resistance.

239. The British overrun South Carolina; Spaniards take Mobile Clinton charged Cornwallis with completing the work of conquest, and Cornwallis advanced into the interior, his army in three widely separate divisions which met with no resistance. The British fortified and garrisoned Augusta, Ninety-Six, and Camden.

Spain was now at war with Great Britain, and though she did nothing in a direct way to assist the United States, her forces tended to occupy the British, and thus to lessen the full power which otherwise they could have brought to bear upon the South. Don Galvez, the Spanish commander at New Orleans, took Mobile with its small British garrison; and the operation had for result the retention of Colonel Campbell in Florida, thus depriving Cornwallis of this meritorious officer's services.

General Clinton, soon after the fall of Charleston, had issued a proclamation in which he promised protection to all the people who should renew allegiance to the royal government. Many who had accepted the military situation as convincing proof of the failure of America, and for the sake of their families had submitted under the terms of the proclamation, were now horrified to read a later proclamation in which Clinton announced that all who had subjected themselves to the royal authority were required to do all the commands of the new state; in other words, he notified them that they must be ready, when called upon, to take up arms in support of the royal authority. If the first proclamation had the good effect of producing an ostensible submission, the last document roused anger the more virulent because of its seeming impotency, and many, too helpless to escape the situation, determined upon a course of hypocrisy, while others who would have remained quiet now became not only hostile but active.

General Clinton sailed for New York, leaving to Cornwallis, the ablest commander on the British side during the whole war, the task of invading and subduing North Carolina.

Washington had hurried toward Lincoln reënforcements under General DeKalb, one of the foreign volunteers in the patriot cause, but DeKalb's force had not reached the state before Charleston surrendered, and it now became a rallying point for the discomfited and a nucleus for a new Southern army, the command of which was committed by congress to General Horatio Gates without conferring with Washington. The battle of Camden followed, and the defeat of the Americans was so complete that no organization of Gates's army remained within the borders of the state, although the North Carolina line was more than fifty miles from the battlefield. The brave DeKalb died from eleven wounds received in the battle of Camden.

Cornwallis advanced to Charlotte; he would subdue North Carolina. Wilmington would then become a base of supplies while Virginia was being reduced. His rear was protected by

240. Stern
measures of
Clinton

241. Battle
of Camden

242. Battle
of King's
Mountain

the Tories; his flanks were guarded by Tarleton, and by Ferguson's forces which were thrown out toward the mountains. As for the United States, it was dazed by the result at Camden, where the conqueror of Burgoyne had been put to rout on his first Southern field.

But the Tories and the Whigs continued to fight in South Carolina. Sumter won success at the time Gates was defeated,



THOMAS SUMTER

but was himself surprised and routed by Tarleton two days later. Marion still kept the field. Colonel Ferguson, commanding 1000 well armed Tories and British, marching in the northern part of the state, heard that a Whig force under Elijah Clarke had attempted to seize Augusta and was now retiring; Ferguson, therefore, altered his march, in the hope of intercepting Clarke. But now he heard that enemies other than Clarke were near him. The

Westerners were coming down from the mountains to take Augusta, not knowing that Clarke had just failed in a similar enterprise, and, learning that Ferguson was in the country, turned upon him with eight hundred riflemen. But Ferguson himself was reputed to be the best marksman in the British army, if not in the world; and he knew the ways and wiles of border warfare as well as the best. So he took post on King's Mountain and dared them to come on. The Western men, led by many colonels, surrounded Ferguson on his height, killed or wounded three hundred, captured the remainder, and hanged some bloodthirsty Tories. Ferguson had fallen dead.

No sooner did Cornwallis at Charlotte hear of the destruction of Ferguson and his corps than he abandoned his plans for a further advance and fell back to Winnsboro. Marion, Sumter, Pickens, all renewed their activity. Sumter at Blackstock

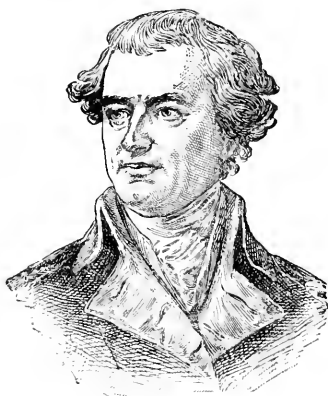
balanced accounts with Tarleton, while Marion struck a blow now here, now there, and leaped aside before the British could crush him. If the partisans saw no rest, neither did their enemies.

The fragments of Gates's defeated army were being collected at Hillsboro, North Carolina, and Gates at length advanced to Charlotte; but here he received the news that congress had decided that a court of inquiry should examine his conduct in regard to the Camden battle, and that Washington had been requested to name his successor. So Gates returned to Philadelphia, and General Nathanael Greene, succeeding to the command of the Southern army, advanced into South Carolina. On his right, some twenty-five miles westward, General Daniel Morgan, commanding the light corps of the army, found himself confronted by Tarleton with a superior force. Morgan withdrew to Cowpens, and retired

no further. In the battle that followed, Tarleton's infantry were killed or made prisoners; with his surviving cavalry he escaped to tell Cornwallis the tale. Cowpens has been called the Bennington of the Southern campaign.

Now Morgan found himself greatly embarrassed by his captures. Into his hands had fallen the artillery, the wagons, a hundred horses, eight hundred muskets, and more than five hundred prisoners. Morgan at once retreated, full well knowing that Cornwallis would strain every nerve to overtake him. The British commander took up the pursuit as soon as he heard of the defeat; burning his heavy baggage and everything that was not necessary to a forced march, he set out to catch Morgan before he could rejoin Greene. But Morgan was moving

243. Greene in command of the Southern army; Morgan's victory at Cowpens — 1781



NATHANAEL GREENE

244. Greene's famous retreat

and Greene was moving. Encumbered with his prisoners and captured material, Morgan's weary troops hardly succeeded in crossing the Catawba before Cornwallis reached it. But a heavy rain swelled the river and Cornwallis was unable to cross; and Morgan now sent off his prisoners and stores under guard by a road nearer the mountains. Greene himself, protected by a small escort, had ridden hard, and here took charge of the retreat; he had left his main body with orders for it to retire into North Carolina and unite with Morgan wherever this was possible.

The commander had foreseen that Morgan would retreat; he had foreseen that Cornwallis would pursue, and he had made his plans accordingly. The retreat was continued, and it was kept up entirely across the state of North Carolina, with Cornwallis closely following and occasionally skirmishing with Greene's rearguard. When Greene went into bivouac for the night after crossing the Yadkin, Cornwallis's advance appeared on the south side of the river; and again the rains fell and the swollen river protected the Americans. At Guilford Courthouse, Greene's main body, under Huger, united with Morgan's division on February 7, and on February 14 the American army succeeded in crossing the Dan into Virginia, and Cornwallis gave up the pursuit. Greene's masterly retreat and the British general's dogged pursuit comprise a movement greatly celebrated in the records of war, in which Greene's escape outclasses many a showy victory.

**245. Battle
of Guilford**

Greene's rearguard had crossed the Dan on February 14. Three days later he threw forward the same troops, now become the advance-guard; and when his expected reinforcements had arrived, he recrossed the Dan with his main body. The two armies joined battle at Guilford Courthouse on March 15, the British general almost through constraint deciding to attack Greene's superior force. The combat was bloody; the discipline of the British regulars carried the field held by the American militia, and Greene confessed defeat. Yet the British loss had been very much greater than that of the Americans,

and Cornwallis marched away, leaving many of his wounded to the care of his enemy. So far as military and political consequences were concerned, Greene had gained the victory. Cornwallis retreated to Wilmington, and Greene advanced into South Carolina.

Colonel Henry Lee, the celebrated "Lighthorse Harry" of 246. Marion
the Revolution, had been General Greene's able subordinate in and Lee;
the previous campaign, and was now in command of the light Greene's
corps which intervened between the main body and the forces campaign
of the enemy. Lee joined Marion, and together they captured Fort Watson by building a tower of logs so tall that it overlooked the fort, which surrendered on April 23. On April 25 Colonel Rawdon advanced upon Greene at Hobkirk's Hill, and gained a victory through the giving way of a veteran Continental regiment; but it was a dear-bought field, and Rawdon in May evacuated Camden and directed his march upon Marion and Lee, who were besieging Fort Motte. Within the fort stood the mansion of Mrs. Motte, who had taken refuge in a farmhouse on the plantation. Rawdon was soon heard from; his advance was near by; and Marion and Lee felt that burning arrows must be used to compel surrender. But consideration for Mrs. Motte restrained them, until the lady herself, hearing of their embarrassment, placed in their hands a bow and quiver. The plan succeeded, and the fort surrendered. Fort Granby soon capitulated, Orangeburg also; and there were but two fortified posts left to the British on South Carolina: Charleston and Ninety-Six.

Greene marched against Ninety-Six, while Lee, whom Pickens would join later, moved upon Augusta, which place, with its two forts, surrendered on May 31, after a most determined resistance.

Meanwhile Greene had pressed the siege of Ninety-Six, his fortifications and approaches being planned by Kosciusko, but the approach of Rawdon with a superior force determined Greene to deliver an assault, which was repulsed, and Greene withdrew without contesting Rawdon's march.

**247. Battle
of Eutaw
Springs**

After a rest during the greatest heat of summer, Greene took the field against Stewart, now commanding Rawdon's forces, to which had been added the garrison of Ninety-Six, that post having been evacuated. In the battle which followed, at Eutaw Springs, Greene forced the British army from its camp, and though it was able to rally and return to its original position, the day's work had brought to an end the royal power in South Carolina. Stewart retreated to Charleston; and to that city and Savannah the British were confined for the remainder of the war.

VIRGINIA CAMPAIGN: 1781

**248. Ad-
vance of
Cornwallis
into Virginia**

Cornwallis moved from Wilmington April 25, directing his march upon Petersburg, at which place he expected to form a junction with General Phillips, already operating in Virginia. Phillips reached Petersburg in May, and died there of fever. The command of his forces devolved upon Benedict Arnold, now a brigadier-general in the British army and engaged in an attempt to suppress the rebellious colonies. Cornwallis entered Petersburg May 20, and took command of the combined forces. On May 24 Arnold, by permission, left Virginia for New York, impelled by the treatment that he received from his new companions-in-arms.

**249. Lafay-
ette defends
Virginia;
the York-
town cam-
paign**

General Lafayette had been chosen by Washington for the defence of Virginia, and the youthful commander opposed Cornwallis with courage and skill. With Count Rochambeau, the general of the French forces in New England, Washington concerted measures for an attack upon New York, and General Clinton, alarmed for the safety of his army, ordered reënforcements from Cornwallis, who was taking town after town in Virginia with fair hope of reducing that state to submission. The commander-in-chief must be obeyed, and in order to ship the troops demanded by Clinton, Cornwallis left the interior and approached the coast, taking position at Yorktown. Lafayette followed and fortified a position in his rear. In the meantime, to escape the hurricane season of the West Indies, Count

DeGrasse sent Washington word that he was coming north and would coöperate with him in Chesapeake bay. This entire condition was Washington's great opportunity. With Rochambeau he quickly arranged for a campaign against Cornwallis instead of against Clinton, and the armies moved southward



THE SURRENDER OF CORNWALLIS AT YORKTOWN, OCTOBER 19, 1781

From the painting by Trumbull in the Capitol at Washington

and blocked Cornwallis's retreat by land, while the French fleet prevented his escape by sea. The British general, on October 17, 1781, surrendered his army to Washington, and the result was the practical cessation of hostilities in America.

THE WAR IN THE WEST

By the terms of the treaty of 1763 between Great Britain and France (171) the former power had acquired Canada, and King George II had proclaimed the country west of the Alleghanies and north of the Ohio a part of Quebec, while the country south of the Ohio was reserved for the Indians and for future colonies that might receive royal authority to settle therein. Such conditions rendered possible Great Britain's acknowledgment of

250. Settlers of the trans-Alleghany region

the independence of the thirteen colonies with the proviso that each colony should have no claim upon the western lands.

But to this land the hunters began to go; following them, the surveyors, and later the settlers. These men of the forest lived harsh, narrow lives of toil and danger. In the conquest of the land every acre was cleared by the axe and every hut was defended by the rifle. These backwoodsmen of the Southwest received no aid from the government until after they had established their own. The government followed the trail of the pioneer. From the valleys of the Alleghany and its tributaries came the Presbyterian Scotch-Irish, "Protestants of the Protestants"; what the Puritans were to the East these men were to the West. They impressed their peculiar character on the civilization of the Southwest. There was a large element of the Germans from both Pennsylvania and Carolina, while Huguenots, Dutch, and Swedes came from Delaware, a single generation in the wilderness welding them into a body of Americans. They settled together in groups of families for mutual protection. They built their log schoolhouses and their churches.

**251. South of the Ohio;
Watauga**

Through her charter North Carolina claimed the land lying between the present western boundary and the Mississippi river, and had additional claim upon it because of settlements on the Watauga begun by Bean, Robinson, and others in 1769. These settlements had prospered, and in 1772 the people organized an independent government and effected an agreement known as the "Articles of the Watauga Association," the first written constitution adopted west of the Alleghanies by a community of native American citizens. For six years this independent government continued in force until, in the year when the British evacuated Philadelphia, North Carolina organized Watauga into Washington county and appointed civil and military officers for its government.

**252. Dunmore's war
— 1773**

Kentucky, settled by James Harrod and Daniel Boone in 1774 and 1775, was rapidly growing in importance. Virginia claimed the territory through her original charter and was not

unwilling to defend it against the claims of the king. A war with the Indians, known as Lord Dunmore's war, began in 1773. For more than a year the usual Indian atrocities were repeated till a decisive battle at Point Pleasant on the Great Kanawha river was fought, in which the settlers gained a victory. In a treaty the Indians surrendered all claims to lands south of the Ohio. Two years later the Cherokees of the South, set on by the Tories, caused a repetition of the sufferings experienced elsewhere when Tories incited the Indians to go on the warpath. By 1778 the Indians within the Kentucky and Tennessee borders had been subdued, yet the bold frontiersmen were ready always to spring to arms at the call of their leaders.

Although fifteen years had passed since the British claims to the Canada country had been confirmed by treaty, comparatively few Englishmen had ever visited the region between the Ohio and the Great Lakes. The French posts were still French in language and in the characteristics of the people who are called the traditional enemies of the English. They had been released from their allegiance to the French government and had been bound in allegiance to another which they hated. The British garrisons at Detroit, Vincennes, Kaskaskia and other small trading-posts were essential as a part of governmental policy, but they added to the displeasure of the French fur traders and their retinues.



A FRONTIERSMAN

253. North
of the Ohio

In 1777 Governor Patrick Henry gave a colonel's commis-
sion to George Rogers Clark, representing the so-called county
of Kentucky in the Virginia legislature, and also granted the
new and youthful colonel material aid in an undertaking which
seemed to promise immense results from small expenditure.
In short, Clark had so laid his case before Governor Henry
that he went back to Kentucky with authority to raise troops

254. Clark
wins the
Northwest
— 1778

for the purpose of winning from the British the territory south of the Great Lakes and north of the Ohio. Clark got together about one hundred and fifty men, moved his command in rude punts down the Ohio, landed on the north bank somewhere near the mouth of the Tennessee, and advanced overland upon Kaskaskia, which he surprised and captured while the inhab-

itants were at a revel. The garrison surrendered at once and the American flag was hoisted over the fort. Governor Hamilton, who ruled the Northwest country under Great Britain, soon heard of Clark's exploit, but before he could get ready to advance, Clark had captured Cahokia and Vincennes; and he held the territory until the close of the war. Meanwhile the settlement of the country was very rapid.



GEORGE ROGERS CLARK

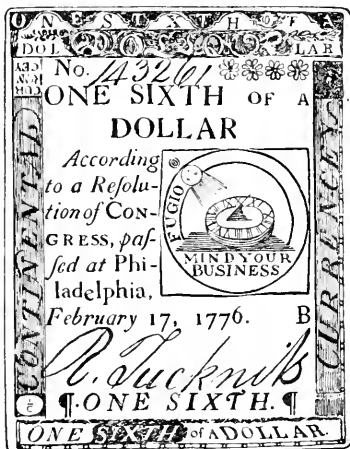
255. Wy-
oming and
Cherry
Valley—
1778

In the summer of 1778 the Tories and Iroquois combined and fell upon the defenceless people of Wyoming in western Pennsylvania and almost annihilated them. Cherry Valley, also, in western New York, was devastated by the Indians and Tories. Washington decided to break the power of the Six Nations and ordered General Sullivan to march against them. In the ensuing operations (1779) the Indians and Tories were defeated and the country laid waste.

256. Fi-
nances of
the War

The commercial policy of England had drained the colonies financially, leaving only about \$10,000,000 in specie in the entire country at any one time, about enough to run the government for six months. The colonies possessed no mints and no developed mines. Under these circumstances something must be done and it seemed necessary to issue paper money. This issuance would not necessarily have become a hardship had congress limited the amount issued, but by 1779

\$200,000,000 had been put into circulation and the policy had become disastrous. "Congress requested the states to pay in a sufficient sum to retire its proportion of the issue. This they never paid, but they issued large sums of similar currency which depreciated in value until it became worthless. These unredeemed notes proved to be a tax on those who held



Face



Back

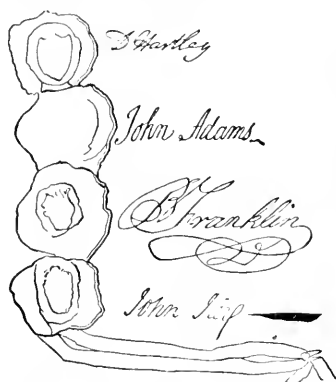
REDUCED FACSIMILE OF CONTINENTAL CURRENCY

them, but congress, understanding the temper of the people, knew that was the only tax they would stand."

Domestic loans were first tried — one for \$1,500,000 was raised by borrowing on funded loans. This proving inadequate, a loan office certificate was tried — bearing interest; then the states were asked to furnish supplies of money. A lottery was opened. Money was raised by confiscating the property of the loyalists. Through the commissioners in Paris, France sent \$6,000,000, and other loans came from Holland. The cost of the war was \$135,000,000. A national debt of only \$35,000,000 was left. The name of Robert Morris, "The Financier of the Revolution," the self-sacrificing patriot, will always be associated with the fiscal troubles of the great war.

257. Treaty
of Paris—
1783

After about two years a definitive treaty was concluded between Great Britain and the United States (September 3, 1783). On the same day treaties were made by Great Britain and Spain, and Great Britain and France.



FACSIMILE OF THE SIGNATURES
UPON THE TREATY OF PEACE, 1783

From the original in the State
Department, Washington

By the terms of the American treaty, Great Britain acknowledged the independence of the United States, naming each of the thirteen colonies. Great Britain gave up all claim to the region west of the Alleghanies, so the Mississippi became the western boundary of the United States, and Florida, with its vague northern limit, became the southern boundary. The northeast boundary was also vague, and caused trouble until it was settled in 1842 by the Webster-Ashburton Treaty.

The treaty provided that the United States allow free navigation of the Mississippi river. The British insisted that the loyalists should be reimbursed for their losses by confiscation during the war, and it was agreed that Congress should recommend that the state legislatures observe this demand, but the legislatures took no steps in the matter.

Rights to the fisheries of Newfoundland were to be shared equally by Americans and British, and debts owed in America to British creditors should be payable at the close of the war.

The wise diplomacy of Franklin, Jay, and Adams, the active American Commissioners, had overcome many a difficulty in the course of the negotiations; and their success has merited the applause of the historian. Great Britain, France, and Spain signed the treaty of Versailles on September 3, 1783, the day of the signing of the treaty of Paris.

In the following November the British evacuated New York.

The battle of democracy had been won. In defense of human liberty the American had been tried and had proved loyal to truth; his capacity for establishing free national institutions was yet to be tested.

SUMMARY

The colonists entered the war without the purpose of gaining independence. But the divergence of opinion between them and the British and increasing hostility to a government residing three thousand miles away soon developed such a spirit of colonial union as inevitably led to the Declaration of Independence and the establishment of a national government. For five years, however (until 1781), that government was without constitutional basis other than the good will of the states. The Second Continental Congress was trivial in comparison with the powerful monarchy of Great Britain. The American navy was too small to be counted as a factor in the beginning, though by its efficiency it did much to determine the outcome. Public sentiment in America was divided and the available resources of the country were insignificant when contrasted with those of the British. The conditions led Great Britain to believe that the war would be a small matter of short duration. The British occupied Boston, New York, Philadelphia, Savannah, Charleston, and Newport, and thwarted the attempt of the Americans upon Canada, but they failed to separate the colonies by their campaigns along the Hudson and Mohawk rivers.

The salient features of the progress of the war from the American point of view were: the evacuation of Boston, which gave the colonies confidence in the fighting qualities of the raw colonial troops when they had to contend against the trained soldiers of Great Britain; the battle of Trenton, which renewed hope, courage, and confidence in a waning cause; the battle of Saratoga and the surrender of Burgoyne with seven thousand troops, — counted one of the decisive battles in the history of the world because of its military importance, its greater moral value in giving America prestige in the Courts of Europe, and its effect upon the issue of the war fought for human liberties; the military occupation of the country north of the Ohio by George Rogers Clark and his little band, which caused Great Britain, in the Treaty of Paris, to recognize America's claim to the great Northwest; Greene's campaign in the South, in which he wrested three states from British domination; the capture of Cornwallis at Yorktown, the crowning event of the war.

None of the great American generals had been technically trained in military science. They had only the severe, sure, and practical skill acquired in fighting the French and Indians, without which it is difficult to believe that their feats in arms would have been possible.

The peace concluded at Paris in 1783 closed one of the most heroic struggles for human liberty that the world has known; but it opened, for the Americans, problems of peace no less serious and difficult of solution than those of war.

REVIEW QUESTIONS

1. If modern battleships had been in use during the Revolution, would the outcome of the war have been different? 2. Enumerate the advantages of each nation at the beginning of the Revolution. 3. Why were so many of the colonists slow in joining the Revolution? 4. Did the British government have any sound basis, moral or legal, for their policy of coercion? 5. By what right did the second Continental Congress assume legislative and executive functions? 6. In what sense was Jefferson the mouthpiece of the American people? 7. What importance do you attach to the defeat of the British at Saratoga? 8. In what incident of the war did Washington exhibit the finest qualities? 9. In your opinion, what was the most important battle of the war? 10. Who was the real hero of Saratoga? 11. Was Benedict Arnold's act of treachery a result of a change in his character? 12. Were the Indians an important factor in this war? 13. What territory was relinquished by Great Britain by the Peace of Paris, 1783? 14. How was the Revolution an aid to the cause of liberty everywhere? 15. Name some of the serious problems that confronted the Americans when the war was over. 16. Why was the peace treaty formed in Europe? 17. What importance should be attached to the trans-Alleghany region in this war? 18. How do you account for the success of the American navy? 19. What effect did the success of the navy have upon our standing abroad? 20. Comment on the following: (1) The Conway Cabal; (2) "Mad Anthony" Wayne; (3) Lafayette; (4) George Rogers Clark; (5) Robert Morris.

CHAPTER XII

THE FORMATION OF A GENERAL GOVERNMENT

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EARLY TENDENCIES TOWARD UNION

A common language, common ideas of government, large sympathy in religion, common danger from the Indians and the French, and common remoteness from the mother country were factors and conditions in the development of a sense of fellowship among settlers of different colonies, of which sense the New England Confederation of 1643 was the first great public expression. Long before the Revolution men of Massachusetts and of Virginia fought side by side and learned the purposes and merits of one another; and many prejudices gave way to that natural affection which neighbor has for neighbor.

In 1690, at the suggestion and under the direction of England, a colonial assembly was held at New York (105) for the purpose of forming a defensive alliance with the Iroquois against the French. Seven years later William Penn outlined for the English Board of Trade a plan of intercolonial union by which a commander-in-chief of the army, appointed by the king, should preside over a council composed of two representatives from each province. Penn was ahead of his time in many ideas.

In 1754 Benjamin Franklin offered a plan of union to the

258. Efforts
for union —
1643, 1690,
1754

Albany Congress. It provided for the establishment of a federal body to act as a political clearing-house for all the colonies. A president-general appointed by the crown and a grand council chosen by the general assemblies of the colonies were to constitute this body. Representation in the council was to be based upon the amount of revenue derived from each colony. The congress approved the plan, but the colonies and the English government rejected it — the colonies because it gave too much royal power, the government because it was too democratic. Franklin, as well as Penn, was a man whose thought anticipated the future.

259. The French and Indian War and the Committees of Correspondence unifying forces

Though the plan failed, it was, nevertheless, a factor in developing intercolonial union. It brought men together from every inhabited section of English America. From Maryland to New Hampshire colonial leaders met for the first time in discussion of matters of a common interest. Local jealousies were softened and effort was made to find a general basis from which to consider colonial questions. Some of the best thought of America had been directed toward a plan for uniting the colonies. Almost immediately there followed the French and Indian war, whose effects in removing prejudices and breaking down many other obstacles to union have been stated in a previous chapter. Close upon the heels of this unifying force came another in the preliminaries of the Revolution. If intelligent sympathy is the basis of genuine coöperation, doubtless there were few stronger factors in the promotion of the Union than the Committees of Correspondence who disseminated information concerning conditions throughout the colonies.

TENDENCIES OF THE REVOLUTION

260. First movements toward independence involuntary; later influences — 1765-1776

Prior to the Declaration of Independence the resistance of the colonists to the mother country had been based upon their conception of their rights as English citizens. They stood together from 1760 to 1776 because they believed that English law had been violated at their expense by a despotic king. In few instances, and those not before the later years of the period,

was there any conception of an independent American power. And yet the movement toward independence is cyclonic in its swiftness during that whole sixteen years. The Stamp Act Congress (1765), the Virginia Resolves (1769), the Non-importation Agreements (1769), the Local Committees of Correspondence, (1770-71), the Colonial Committees of Correspondence (1772-73), the First Continental Congress (1774), and the Second Continental Congress (1775) were factors in developing, not only independence, but also its corollary, colonial union. Having learned to think and to feel and to act as a unit, it was only a short step to political independence and confederation. The climax of the movement was accordingly reached on July 4, 1776, when congress formally adopted the Declaration of Independence and set about the drafting of the Articles of Confederation.

Having begun the Revolution in defense of their rights as Englishmen, the colonists now declared their purpose to continue it in support of their rights as men. The Declaration is the first conscious step in the forming of an American nation, and the contention that "the Union is older than the states" has no basis in fact, for state organizations had been taking form for a whole year before a federal government was seriously proposed. Those who make such contention evidently refer to the fact that the Second Continental Congress had directed the joint colonial interests since June, 1775, and that various colonies, under its advice, had formed new state governments and had adopted new constitutions.¹ This is true enough. And yet it is evident that in giving such advice

261. The states antecedent to the union of states

¹ Massachusetts' charter had been forfeited in 1774, while in New Hampshire and Virginia the royal governors had vacated, leaving those colonies without legal and constitutional foundation. Accordingly, congress had advised Massachusetts to follow her charter "until a governor of his Majesty's appointment will consent to govern the colony according to the charter." Since New Hampshire had no charter, congress advised "that it be recommended to the provincial convention of New Hampshire to call a full and free representation of the people, and most effectually secure peace and good order, during the continuance of the present dispute between Great Britain and the colonies."

congress was looking not to a permanent but to a temporary arrangement, and it is equally evident that congress itself did not believe that the union was permanent. It is unquestionably true that the Union did not in fact create the states. The thought of independent statehood preceded necessarily the thought of independent union. The spirit of union preceded the ultimate form of independent statehood, but by no possibility of logic or of fact could the form of independent union have preceded the form of independent statehood.

262. Local patriotism must precede a national spirit

The spirit of union — a common sympathy, mutual interests, a consciousness of the unity of thought and feeling — developed rapidly as the Revolution proceeded. As long as the colonists were defending their rights as men, as long as they had to fight a common foe in defense of inalienable rights, their policies were remarkably unselfish and considerate of the interests of the colonies as a whole. But when they undertook to form a general government, when it became necessary to define the relations between the states and their common agent — the Union — there was not such unanimity either of spirit or of action. The Revolution had greatly augmented and made secure the *spirit* of union; it had not yet developed a satisfactory *form* of union; and, as we shall see, perhaps the chief obstacle to this end was the vigor of independent statehood.

WORKING OUT A FORM OF GOVERNMENT

263. Franklin's plan; Lee's resolution; Dickinson's plan

The development of the spirit of union led to the most dramatic situation in American history. The evolution of a fundamental law, creating a framework of government and defining its parts and their intricate relations, expresses the most philosophic process in which the American people have consciously participated. On July 21, 1775, Benjamin Franklin laid before congress a plan of union. Among its provisions was one for the control of commerce by a congress chosen from the states in proportion to population. Each member of congress should have one vote and a minority of the state assemblies might amend the constitution. A common treasury should be

created at the expense of all the colonies, and congress should have power to deal with the Indians, with questions of peace and war, and with disputes over boundaries. Franklin's plan was rejected, but the leaven was at work, and on June 7 of the following year, Richard Henry Lee of Virginia introduced a resolution in congress declaring that "these United Colonies are, and of right ought to be, free and independent states," and on June 12 congress resolved "that a committee be appointed to prepare and digest the form of a confederation to be entered into between these colonies." This resolution resulted in a draft, by a committee composed of one delegate from each colony except New Jersey, of the plan of confederation known as the Dickinson draft from the chairman of the committee, John Dickinson of Pennsylvania. The document provided for the control of commerce by the states, permitted each state to send as many as seven and not less than two delegates to the confederate congress, gave the entire delegation from each state only one vote, and made amendments possible only with the consent of *all* the states. The questions of representation, taxation of property in slaves, regulation of commerce, and control of western lands developed such differences of opinion that numerous amendments delayed its adoption until November 15, 1777. It was then sent to the states for ratification, with the direction that "these articles shall be proposed to the legislatures of all the United States, to be considered, and if approved of by them, they are advised to authorize their delegates to ratify the same in the congress of the United States; which being done, the same shall become conclusive."

The document itself should be studied as a whole. It made no provision for an executive or for a judicial department. Congress was to be chosen by the state legislatures and should be responsible only to them. The delegates from each state should have only one vote, and the votes of nine state delegations were necessary to carry any measure. No power was granted to congress to collect either direct or indirect taxes

264. State
sovereignty
the essence
of the
Articles

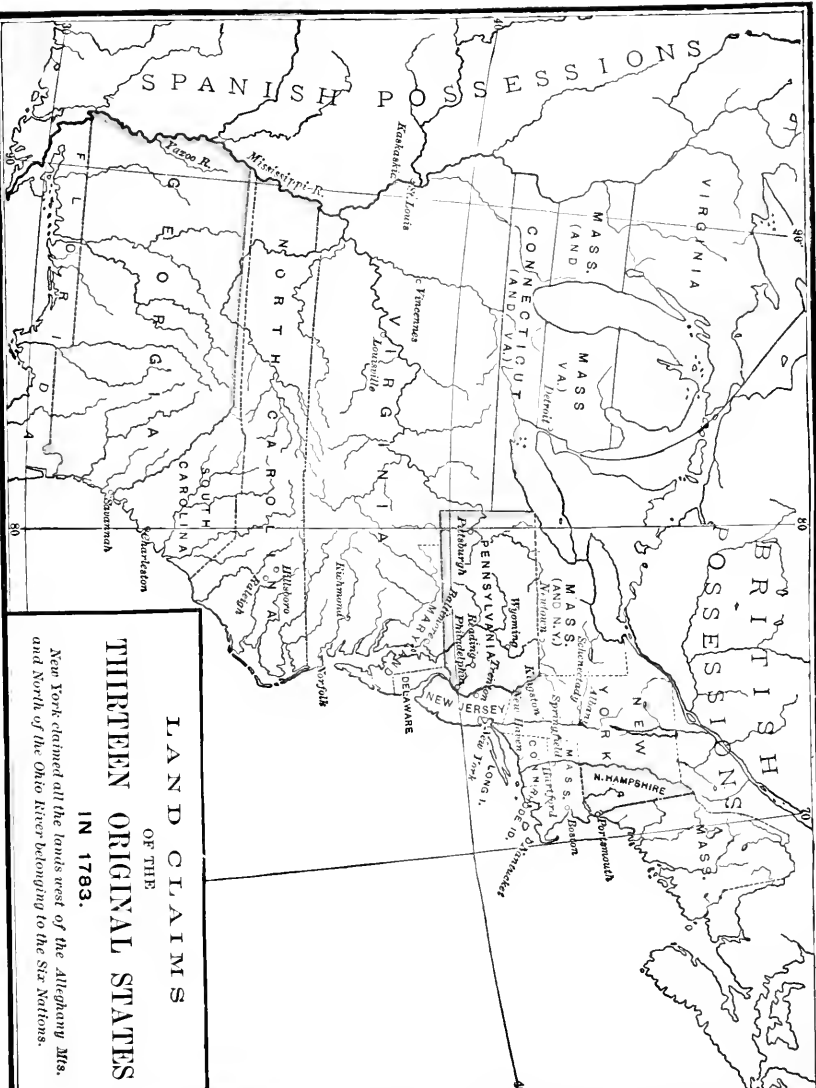
or to raise an army, and hence congress would be unable to sustain its agreements with foreign nations. Control over domestic commerce was left to the states, and no pressure could be brought to bear by congress upon any individual or upon any member of the Confederation. It is therefore clear from these features that the fundamental idea in the Articles of Confederation is state sovereignty. Absorbing the very life of the American people, and of congress itself, was the necessity for overthrowing despotism. Restriction of power was the end for which the colonies were fighting, and the conversion of colonies into states carried with it no change of sentiment toward liberty. No system of government that would tend to endanger the liberties of individual states could have been adopted. It is perhaps fortunate that Franklin's plan was not submitted to the states for ratification, for it most surely would have been rejected and the colonies would have been without a fundamental law of union. It is not to be inferred, however, that the Articles did not mark a decided step in the direction of a federal union. Feebly, to be sure, but none the less certainly, all the people were turning their gaze toward a common authority. During the Revolution, they necessarily formed the habit of looking to the new government for the direction of foreign affairs. The Confederation could borrow money on its own credit, and could make requisitions upon the states. It had recognition from foreign powers as an independent sovereign nation, and it had jurisdiction over the question of state boundaries. In fact, it was such a long step, as viewed by the colonists, toward centralization of power that it barely escaped being defeated altogether, and its weakness became apparent only after the pressure of war was removed.

265. Claims
to the
Western
lands

The large states protested against equality of representation in congress, while the smaller states would accept no other basis. But perhaps the most far-reaching debate concerning the relation of the states to the new organization arose over the management and disposal of the western lands.

Early charters had made grants "from sea to sea." As

SPANISH POSSESSIONS



LAND CLAIMS OF THE THIRTEEN ORIGINAL STATES IN 1783.

New York claimed all the lands west of the Alleghany Mts.
and North of the Ohio River belonging to the Six Nations.

time passed it developed that some of these grants overlapped, but in 1774 parliament annexed to Quebec all colonial territory north of the Ohio river. After the Declaration of Independence, the various states reasserted their claims to this region. For example, Virginia brought forward her charter of 1609 (62) and claimed all territory as far as the Mississippi river.¹ With greater force, she contended that this region had been conquered from the British by George Rogers Clark, a Virginia officer, in 1778-79, and that, therefore, this territory was hers by right of conquest.

Massachusetts claimed under the charter of 1629 all territory west of New York and east of the Mississippi, between those parallels that lie three miles north of the source of the Merri-mac and three miles south of the source of the Charles.

New York asserted her right to all lands previously occupied by the Iroquois north of the Tennessee river, because this Indian tribe had previously ceded that region through the governor of New York to the British king.

Connecticut had never surrendered her charter of 1662, and therefore desired to retain her territory as far west as the Mississippi.

Georgia stood out for her charter limits of 1732, with the addition of the lands lying north of the Floridas and west of her present boundaries back to the Mississippi.

North Carolina claimed the present state of Tennessee, and South Carolina claimed a narrow strip between North Carolina and Georgia.

Against the state land claims in the West, the states which had no such claims contended that this region had been won from the British with a common treasure of men and money. They had spilled as much blood and spent as much money to acquire this territory as any of those who held claims, and, since these lands had formerly belonged to the mother country,

266. The claims of the states surrendered to the general government

¹ This charter, conveying to Virginia "the land from sea to sea, west and north-west," was annulled in 1624. That of Massachusetts was likewise annulled in 1684. The Carolinas surrendered theirs in 1729, and Georgia hers in 1752.

the United States had become heir to all her rights and prerogatives therein. Under the influence of such arguments, and after stubborn resistance on the part of Maryland, a state with no great unoccupied lands with which to defray her expenses in the Revolution, the states gradually surrendered their claims to this region. New York, in 1780, adopted her present western boundary; Virginia, in 1784, gave up practically all of the territory north of the Ohio river in accordance with a previous agreement; Massachusetts followed in 1785; Connecticut in 1786 (reserving a strip 120 miles long on Lake Erie, afterward known as the Western Reserve); South Carolina in 1787; while North Carolina held out until 1790, and Georgia until 1802.

267. Ratification of the Articles

When it became evident that the claims would be surrendered, Maryland ratified the Articles of Confederation on March 1, 1781, and they immediately became effective.

The contest over the Articles shows the difficulty of establishing a central government with even the limited power which the instrument gave. On the other hand, the final acquisition of control over the vast western region by congress greatly strengthened the idea of nationality, which was not at all lessened because of the fact that the new government was under the necessity of improvising some form of organization for the territory.

268. Emigration to the West; Franklin—1784; government of the Northwest Territory

Even before the Revolution had closed, settlers had begun to push out into the new country. After congress acquired control, it decided to place the land on the market at the price of one dollar per acre, in order to raise funds with which to discharge the war debt, and a stream of emigration set in toward the West. After the Revolution the stream became a tide, and state governments began to be organized prematurely. In 1784 the settlers along the upper Tennessee set up the "State of Franklin," elected a legislature, and chose John Sevier governor. Although this organization soon dissolved, and the region was reannexed to North Carolina, the settlers were there in great numbers, and others continued to come.

In 1785 congress adopted an ordinance providing for the organization of state governments in the western territory under certain conditions, and making possible their admission to the Union.¹ A New England real estate company now tried to establish colonies on the land west of Pennsylvania and north of the Ohio, but found it difficult to induce emigrants to settle in that region because of the absence of civil law there. When the situation was brought before the government again, congress, in 1787, with only one negative vote, passed an "Ordinance for the Organization of Government in the Northwest" — the large



JOHN SEVIER

territory now occupied by the states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and the eastern part of Minnesota. This document, though quickly superseded by the Constitution, was extremely important in two ways. In the first place, it gave the settlers of that region the benefits of civil government, and thereby encouraged immigration, while it determined the kind of institutions that should prevail. In the second place, it was a powerful contribution to the idea of nationality, since it opened a vast territory whose inhabitants looked to the United States, rather than to their respective native state governments, for advice and protection. It will be seen later that this region was an important factor in the spread of the idea of national sovereignty.

Some of the fundamental provisions of the document are:

1. "Slavery and involuntary servitude shall forever be prohibited."

¹ It is significant in this connection that the original ordinance contained a clause prohibiting slavery; it is said to have originated with Jefferson, and was defeated by one vote.

2. "Religion, morality, and knowledge being necessary for the welfare of mankind, schools and the means of education shall forever be encouraged."

3. "The navigable rivers leading into the Mississippi and the St. Lawrence, and the carrying places between them, shall be common highways and forever free."

4. "The inhabitants shall forever enjoy religious freedom, the *habeas corpus*, trial by jury, and equal civil and political privileges."

WEAKNESS OF THE CONFEDERATION

269. Financial difficulties;
Robert Morris

Among other questions with which the Confederation had to deal, and which helped to develop the movement toward stronger union, was the question of finances. Congress did not receive as much money from the sale of the western lands as was expected, so that the national debt, amounting to some \$35,000,000, was left unpaid. The soldiers were clamoring



ROBERT MORRIS

for pay, and the credit of the new government was declining both at home and abroad. In 1781 Robert Morris, a wealthy Philadelphia merchant and banker, became superintendent-of-finance. He paid the soldiers (except the officers) by the use of his personal credit, and induced congress to charter the Bank of North America — the first bank of a national character in the country. The financial burdens of the Confederation

soon became too heavy for Morris, and in 1785 he resigned his office, convinced of the weakness of the federal scheme.

In foreign relations also the Confederation proved its inadequacy, and again made evident the need of a stronger central government. In forming a commercial treaty with Spain,

now in control of Louisiana, and hence of the mouth of the Mississippi, her government refused free navigation of that stream. The United States possibly would have yielded to Spain but for the vigorous protest of the Southwest, whose interests were so closely bound up with the use of this river. Threats of revolt were boldly made by the hardy frontiersmen, and congress very wisely postponed a settlement.

270. Foreign Relations; Spain; Great Britain; Shay's rebellion

Relations with Great Britain were no less unsatisfactory than relations with Spain. Immediately after the Revolution, the old laws of trade which had been used with severity against her competitors on the sea, Great Britain now employed against the Americans. The commercial and industrial interests in this country were crippled, and congress lacked the power to retaliate, since the Articles left with the states the control over commerce. Gold and silver were consumed in payment for the commodities imported from Great Britain, while the trade laws largely restricted American produce to the home market. Business depression prevailed, public and private credit declined, and the number of debtors throughout the country increased at an alarming rate. A cry went up from all over the land for remedial legislation. Lacking confidence in the Confederation, many appealed to the state governments. A paper currency was issued by most of the states, with nothing back of it except their promise to pay. This desperate recourse worked a serious hardship upon the merchants who had invested in goods which could now be sold only for a depreciated piece of paper. But the merchants were not the only dissatisfied class. All of the business interests suffered because of a lack of specie, while the variety of foreign coins in use was a hindrance to the development of commerce and industry. The expenses of government were heavy, necessitating higher taxes than those to which the colonists had been accustomed. The debtor class was large, and growing larger still from day to day. The laws were heavy upon those who could not pay, imprisonment being a common penalty. The whole outlook was gloomy, and the mental depression led to violence. In

New York, New Hampshire, and Pennsylvania, insurrection had to be put down by force, while Tennessee, Kentucky, Vermont, and Maine asked that they be allowed to form separate states to the end that they might do something to alleviate the people's sufferings. In Massachusetts, Daniel Shays, in 1787, led about 1800 debtors, mostly farmers, against the United States arsenal at Springfield. State militia met the insurgents at Petersham and put them to rout. The movement lost none of its significance because it was suppressed. Plainly such conditions were intolerable, and, if remedial policies were not soon adopted, could lead to only one result — the dissolution of the American Union.

271. Viola-
tions of
Peace
Treaty; in-
ability of
Congress

In the meantime, neither party was fulfilling strictly the terms of the treaty of 1783. Great Britain continued to hold military posts within the United States territory, carried away negro slaves without making compensation for them, and seized and appropriated private property. The states, on the other hand, would not restore citizenship to Tories, and placed legal obstacles in the way of the collection of debts incurred by the colonists in the early days of the Revolution. Congress could only advise the states how to deal with the question, and the result was that there were as many American commercial policies as there were American states. Some of the states levied high protective tariffs on British goods, and entered upon a commercial war with their neighbors. So evident was the weakness of the new government that Thomas Jefferson declared, "There never will be money in the Treasury until the Confederacy shows its teeth." Washington, about the same time, said, "Thirteen colonies pulling against each other, and all tugging at the federal head will soon bring ruin on the whole." In fact, leading citizens, if not many of the common people, had realized the inadequacy of federal power under the Articles almost from the beginning; and in 1786 it was seen that only immediate and radical reform could avert civil strife.

In 1781 congress had asked for the power to levy a five per cent *ad valorem* duty on imports, the proceeds to be used in

the discharge of the public debt. Rhode Island had defeated this proposed amendment, as it was her right to do under the Articles. In 1783 congress asked for the power to levy a five per cent specific duty on imports, to be collected by state officials. New York this time refused her consent, and again twelve of the colonies were defeated. In 1784 it was proposed to give congress the right to pass discriminatory measures against those countries that refused to enter into commercial treaties with the United States. This proposal met with the approval of seven states only, and hence came to nothing.

THE CONSTITUTIONAL CONVENTION

In the meantime, various suggestions were made from many quarters that a "Continental conference" be held for the purpose of framing "a Continental charter." But the effort which resulted in the making of the federal Constitution is due to another circumstance.

272. Questions of commerce (1785) give rise to a convention — 1786

The navigation of the Potomac river was a constant source of trouble between Virginia and Maryland, the one controlling the mouth of the stream, and the other its upper course, while the tariff policy of each state was directed with an eye single to its own welfare, and had resulted in commercial conditions that were becoming ruinous. After making unsuccessful attempts to adjust their differences, these states, in 1785, sent commissioners to Alexandria, Virginia, who immediately adjourned to Mount Vernon, and there discussed the whole question of interstate commerce as it applied not only to Virginia and Maryland, but also to the other states that were concerned.

This conference was followed the next year (1786) by a convention at Annapolis, the purpose of which was to consider the whole question of both national and domestic commerce. Five states sent delegates to this meeting, which drew up a report recommending that a general convention be held in May, 1787, at Philadelphia, for the purpose of amending the Articles of Confederation. The states immediately began to choose delegates

to such a convention, and congress gradually made up its mind to issue a call for a convention "for the sole and express purpose of revising the Articles of Confederation and reporting to congress and the several legislatures such alterations and provisions therein as shall, when agreed upon in congress and confirmed by the states, render the federal Constitution adequate to the exigencies of government and the preservation of the Union."

273. The
Constitu-
tional Con-
vention —
1787

At the appointed time, May 25, 1787, delegates gathered from all the states except New Hampshire and Rhode Island. New Hampshire eventually sent representatives, but Rhode Island did not participate at all.

Many of the delegates composing the convention were great men. After Washington, who was made president of the body,



ALEXANDER HAMILTON

the names of Hamilton of New York and Madison of Virginia are the greatest in the convention. Madison's *Notes* are the best source of information concerning the proceedings, and have served posterity well in giving the issues and in portraying the men who worked out our fundamental law. He made a careful study of the history of confederate governments and presented the results of his investigations to Washington. He also drafted

the "Virginia plan" as a working basis for the convention. He is called the "Father of the Constitution." Hamilton wielded a tremendous influence in launching the new government when once framed. His radical views as to the power, in degree and in kind, that the central government should exercise, weakened the confidence of the convention and injured his usefulness in that body. Benjamin Franklin, although past four-score, with his genial wit and profound wisdom, was a powerful factor in

the convention. In addition to these men there were fifty-one others of the ablest in America.

The convention had not been in session long before it found itself limited by the nature of the call. It had been called to revise the Articles. But these had been found to be incapable of suitable amendment, and the convention began the construction of a new instrument. If such action was usurpation, the people recognized the necessity for it and approved it in ratifying the Constitution.

274. Plans for a government submitted; the first compromise

The first plan submitted was brought forward by Edmund Randolph for the Virginia delegation. It provided for a national government consisting of a legislative body of two houses chosen by the states in proportion to population, and judicial and executive bodies appointed by the Congress, or law-making body. Clearly this plan favored the larger states, and it met with vigorous opposition from the smaller states. New York, which was at that time a small state, threatened to withdraw if such a plan was adopted.

Connecticut now proposed a scheme by which the powers of the Confederation would be enlarged, but the execution of the federal law would remain with the states. New Jersey proposed a similar scheme in the interest of the smaller states, while Alexander Hamilton read a proposal to establish a strongly centralized government providing for a president and a senate, both to be elected for life. Charles Pinckney of South Carolina also laid before the convention a plan which was in many respects like the Virginia proposal. Finally, after a long series of debates, the Virginia scheme was made the basis of procedure. It provided for a legislative branch of government to be composed of two houses in each of which representation should be in proportion to population. The plan was attacked by the smaller states, which contended for a congress to consist of one house in which the states should have an equal vote. The result was the first compromise of the Constitution, according to which the states have equal representation in the upper house and proportional representation in the lower house.

275. The compromise concerning slaves as property

The first great problem having been solved, the next question involved the apportioning of representation in the House of Representatives, and also brought with it the slavery question. In counting the population for purposes of representation in the lower house should negro slaves be included? The South very naturally said Yes, while the North, with equal consistency, said No. In the matter of direct taxes, also, it was proposed that the sums levied against each state should be in proportion to its population, including negroes. The South now very naturally said No, while the North, with equal positiveness, said Yes. North Carolina threatened to withdraw if such plan was adopted. The whole matter was settled by adopting the three-fifths, or federal, ratio; that is, three-fifths of the slaves were to be counted both for the purposes of representation and taxation. This ratio was nothing new; for purposes of taxation it had already obtained by act of the congress under the Confederation.

276. The compromise concerning commerce and importation of slaves

It has already been observed (270) that one of the chief defects of the Confederation was its lack of power over commerce. New England in particular had consequently been a heavy sufferer from British industrial competition and discrimination. When efforts were made to give to Congress the power to protect American interests against a repetition of such abuses, Southern members objected for fear it might injure Southern agricultural interests by reason of an export duty. The issue was finally settled by a compromise providing that Congress should have the right to regulate commerce, but no right to prohibit the slave trade for twenty years. As a concession to the Southern states export taxes or duties were forbidden.

277. Fears of centralization

After agreement upon the main features of the Constitution, the document was referred to various committees for perfection as to form. When it came back to the body for final adoption some of the members had given up in disgust and returned home. Gerry of Massachusetts and Randolph and Mason of Virginia refused to sign it on the ground that it was too centralized. Thirty-nine members of twelve states signed the document and

transmitted it to congress and to the various states to be acted upon by state conventions.

The Constitution provides three departments of government — legislative, executive, and judicial. This plan was a result of the desire to obviate the weakness of the Articles without endangering the rights of the states and the people through centralization. Each department is given power over the others and each is given a means of defense against the others. The president wields a negative power over legislation through the veto, and is subject to impeachment by Congress. Through the power of pardon he exercises a judicial function, and the justices of the Supreme Court are appointed by him. The legislative power is vested in Congress, and in the Senate's right to ratify or reject treaties and executive appointments that body holds a check upon the executive. The House, a body representing the majority of the people of all the states, wields the initiative in taxation. The Supreme Court and inferior courts exercise the judicial power, and whenever the Supreme Court declares a law unconstitutional, it exercises a power to defeat legislation. The arrangements here described make the government one of "checks and balances." When it is remembered that the framers of the Constitution had had recent experience with the concentration of power in the hands of royal governors, it is not surprising that they contrived a system that automatically checks the exercise of centralized functions.

Congress was given jurisdiction over taxation, money, territories, coinage, commerce, patents, copyrights, post-offices, and weights and measures, in addition to the powers exercised under the Articles of Confederation. The federal government was further strengthened with the power to enforce its will. When its law is disobeyed, it operates directly upon the individual citizen through its courts. It can declare unconstitutional a state law that involves the federal Constitution, and has the power to settle disputes between states.

By the terms of the Constitution, when nine of the states

278. The legislative, judicial, and executive functions

279. Oppo- should ratify it, it should go into effect "between the states so
sition to the ratifying the same." It is not difficult to explain why the
Constitution document met with so much opposition. The convention had exceeded its authority; large numbers of the people did not understand the weaknesses of the Confederation; some were suspicious of "these lawyers, and men of learning, and moneyed men that talk so finely and gloss over matters so smoothly," while the love of free local institutions was too deep in the hearts of a vast majority of the people for them to accept any set of measures that might endanger their liberties. Moreover, there was no Bill of Rights, as was found in most of the state constitutions with which the people were familiar. This omission looked suspicious to those who had just passed through so many years of conflict with centralized powers.

280. Begin- Upon adjournment of the Convention its members returned to
ning of their respective states, and for the most part became champions
political of the Constitution. They organized for systematic work and
parties; the began the struggle for ratification. They astutely called them-
discussion; selves "Federalists" with the purpose of conveying the idea that
the "Fed- they favored the preservation of state rights, for the strongest
eralist" opposition to the Constitution planted itself squarely upon the idea that too much power was being filched from the states. Among the leaders of the opposition were such Revolutionary patriots as Patrick Henry and Samuel Adams, whose party naturally took the name of "Anti-Federalists."

Each side, with pamphlets and speeches, solicited votes, and every detail of the Constitution was subjected to the severest criticism. The Senate would become, some thought, the seat of aristocracy, where the rights of the common man would be trampled under foot. The President, they feared, would develop into a despot no less odious than the one whose tyranny they had just escaped. The Supreme Court would become an Inquisition, destroying the life and liberty of the citizens.

The opposition was somewhat mitigated by the promise of a Bill of Rights, which accordingly was drawn up and adopted immediately after the inauguration of the new government;

this Bill of Rights became the first ten amendments, which are designed to protect the life and liberty of the individual against the power of arbitrary government.

Great influence upon the election was exerted by a series of papers issued from New York and known as *The Federalist*. Alexander Hamilton was the inspiring genius of these discussions, and he was ably seconded by James Madison and John Jay. Hamilton, who had little leaning toward a republic, supported the Constitution for the single reason that it was a stronger form of organization than the Articles, yet no abler or more effective arguments for the document were ever produced than his.

The ratifying conventions, chosen by popular elections in the respective states, began to meet late in the autumn of 1787. In a short time Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut had ratified in the order named. The contest in Massachusetts proved to be the crisis. The influence of John Hancock, who was president of the ratifying convention, was against the Constitution until a political change in his state held out to him the prospect of the governorship. Then, too, Massachusetts had a right to fear centralization, and she very positively insisted on a list of amendments. After dickerings and long debates the ratification measure was adopted (February, 1788) by a vote of 187 to 168. This action on the part of Massachusetts turned the scales in favor of the Constitution, and Maryland followed in April, South Carolina in May, and New Hampshire, the ninth state, in June.

Virginia was slow, though the new instrument was supported by Washington, Madison, and Edmund Randolph. By submitting a long list of proposed amendments, Virginia ratified the Constitution June 25, 1788, by the close vote of 89 to 79.

New York, likewise, was slow; but after a stubborn fight between Governor Clinton and Alexander Hamilton, the measure succeeded in passing, by a vote of 30 to 27 on the next day after Virginia's ratification.

The convention in North Carolina adjourned without rati-

281. The
state con-
ventions;
ratification

fication, but a second convention ratified on November 21, 1789. Rhode Island held aloof until May 29, 1790.

SUMMARY

The development of the Anglo-Saxon (19) became very rapid in America. His inherent love of order, and especially of freedom, made him a fit instrumentality for building an independent nation. The building process is seen at various times during the colonial period and much more clearly in the Revolutionary war. By 1776 the spirit of American nationality was being well developed, and it continued to grow with remarkable rapidity. While the war was going on, and more especially after it had been won, the general form of the American nation was being worked out. The colonies, still fearing despotic power, and still cherishing a local patriotism which had developed through long years of hardship, looked upon the weak central government in its formative period as the agent of the several states acting together. From 1776 to 1781, questions of war were more important than questions of peace. When a formidable enemy is at the door there is no time for debating constitutional law. The first results, therefore, of conscious effort to frame an American government were extremely meager. So little power was given to the central government that as soon as the stress of war was removed and men turned their thought to civil affairs it became apparent that a stronger organization was necessary. Accordingly, a convention was called to meet in Philadelphia for the purpose of revising the Articles of Confederation. When it met in 1787 it threw the Articles overboard and constructed the Constitution. After much debate this document was adopted by a sufficient number of states to make it effective, with the somewhat general proviso, expressed or tacit, that the states surrendered thereby none of their sovereignty. The spirit of union had thus worked out a form of government.

REVIEW QUESTIONS

1. Show clearly how the Albany Congress (1754) was a preparation for inter-colonial union.
2. What influence did the public domain have upon the formation of the union?
3. Distinguish clearly between the spirit and the form of the union.
4. Was the Confederation a more compact form of union than that existing in 1776?
5. Why did the colonies construct such a weak form of government at first?
6. What were some of the weaknesses that became apparent soon after the Revolution closed? Why did they not become apparent before?
7. By what authority did the Constitutional Convention draw up a new fundamental law?
8. Why was the period from 1781 to 1789 a critical period?
9. Were Samuel Adams and Patrick Henry consistent in opposing the adoption of the Constitution?
10. Would the Constitution have been adopted if its friends had advocated the abolition of state sovereignty? Give a reason for your answer.

Part III

THE NATIONALIZING PROCESS — 1789-1875

CHAPTER XIII

A CONFLICT OF NATIONAL IDEALS

REFERENCES

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SOURCES. — Hart, *Source Book, Contemporaries*, vol. iii; MacDonald, *Select Documents*.

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INTERNAL FACTORS IN THE CENTRALIZING PROCESS

In the campaign for ratification, the advocates of the Constitution had promised to favor certain amendments to be added so soon as the new government should be organized. Moreover, they willingly allowed the people to believe, if they did not intentionally lead them to believe, that in ratifying the Constitution they in no way sacrificed the sovereignty of their several states. There can be no doubt that if a great number of the voters had not so believed, the attempt to form a new government would have been defeated, and the Articles of Confederation would have remained an uncertain force for an uncertain time. Yet the two ideas which had divided the voters into two camps waged war upon each other as vigorously as ever. Those who had favored the Constitution now sought by a policy of "loose construction" to give to the government as much power as possible within the most liberal interpretation of that document, while their opponents, maintaining the

282. The "Fathers" purpose to uphold state rights

contrary policy of a "strict construction" of the Constitution, demanded that the new government be limited in the exercise of power, in order to secure the people against oppression. The former party, known as Federalists, naturally attracted a large part of the aristocratic element of the country, while the latter party, known as Anti-Federalists, appealed especially to the common people, and to conservatives generally.

283. The
people *vs.* a
privileged
class

The basis upon which the conflict between the two ideas was to be waged under the Constitution had been foreshadowed by the declarations of two of the foremost men of the times. In 1787 John Adams had said in his studied *Defense of the American Constitution* that "the rich, the well born, and the able . . . must be separated from the mass and placed by themselves in a senate." In the same year Thomas Jefferson wrote: "I am persuaded that the good sense of the people will always be found the best army. They may be led astray for a moment, but will soon correct themselves." It is not difficult to see in these assertions two distinct ideas and ideals of national organization. Federalist doctrine carried to its logical conclusion meant government by the powerful class, while Anti-Federalist doctrine, as understood by the people at this time, meant decentralization and perhaps final dissolution. The adjustment, and possible reconciliation, of these two ideals of national organization was the task of the next three-quarters of a century or more. Nationality must take deeper root, if the American nation would be preserved; democracy must hold the reins of government, if the people would be secured in their rights. He would have been a prophet, indeed, who could have foreseen the outcome of the conflict — the democratized nationality of the twentieth century America.¹

284. The
country
fortunate in
its first
President

Washington received every vote of the electors, because he was everywhere recognized as the logical man for the place. He had successfully led his country through the Revolution, had presided over the convention that formed the Constitution,

¹ These differences in political theory did not show themselves, however, in the first presidential election.

and had been a wise and patriotic counsellor in all matters of public interest. His pure, strong, and well-balanced character marked him out as the man best fitted for the office. That he was a Virginia aristocrat and a very wealthy planter told perhaps in his favor with those who participated extensively at this time in governmental affairs, while his military renown attracted to his support the great numbers of people who had desired the success of the Revolution. It would perhaps be too much to say that he belonged to the Federalist party, yet he had strongly advocated the adoption of the Constitution.

Though his great heart was so responsive to the needs of all humanity that he was in the large sense democratic, he was yet thoroughly convinced of the necessity of a stronger central government, and bent all his energies to making the federal power respected and obeyed. He was neither a profound scholar nor a political philosopher, in the sense in which that term is ordinarily used. His chief claim to the admiration of



GEORGE WASHINGTON

posterity is his seeing the needs of his country at that particular time and his having the courage to supply them to the extent of his ability. What better claim can statesmen wish? If he seemed to yield more to the advice of Hamilton than to that of Jefferson, it was because he felt the imperative necessity of making the federal government an effective instrument for the promotion of the public good. The elevation of such a man to the presidency of the new government went far toward creating confidence in its motives and its policies.

According to the constitutional provision, the names of the 285. Adams candidates for president and vice-president were not segregated, and Hamilton es- and in the first election Alexander Hamilton became fearful tranged

that Adams, who really desired the vice-presidency, might get more votes than Washington, and consequently become president. The scheme to prevent such result lessened the vote for Adams, who had never endangered Washington's election to the presidency, and caused a long and ugly estrangement between Adams and Hamilton. But Adams became vice-president, and thus a Federalist, a proud New England aristocrat by nature, was called to preside over the first Senate.

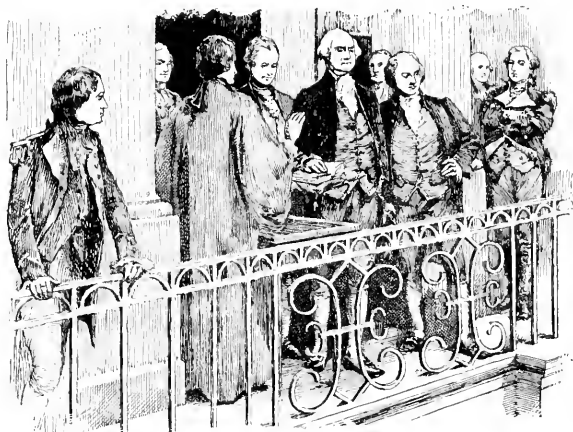
286. Wash-
ington's in-
auguration;
his cabinet

The congress of the Confederation had set the first Wednesday in March, 1789, as the time when the new Congress should convene, count the votes of the presidential electors, and proceed to the inauguration of the new government. But on account of the difficulties of travel in those days, Congress did not assemble until the first week in April, and the inauguration of the president was delayed until April 30. Washington's journey to New York had been one continuous ovation to "Columbia's Savior," and on his arrival he was given an enthusiastic reception by thousands of people from different parts of the country. The inaugural ceremonies were marked with solemn pomp and regal formality. The president's address breathed the same solemnity of spirit, though it clearly revealed a deep consciousness of responsibility. The whole occasion, like Washington's election, had the effect of increasing the national sentiment.

In the meantime, the new Congress was already at work. After voting the president an annual salary of \$25,000, a very large sum for those days, it proceeded to the organization of the executive departments. Thomas Jefferson became the first secretary of state, Henry Knox, the first secretary of war, Alexander Hamilton, the first secretary of the treasury, and Samuel Osgood, the first postmaster-general. The last named official was not considered a member of the cabinet, while the attorney-general was not at this time the head of any department, although he was constantly called into consultation with the president. These officers were appointed by the president and confirmed by the Senate, but, after a hard-fought

battle, the president was given plenary power over removals.¹ The duty of these officers is indicated in their respective titles, but they are expected also to advise with the president individually and collectively about all matters of administration. The president may or may not follow their advice.

Article III of the Constitution directs: "The judicial power **287.** The of the United States shall be vested in one Supreme Court, and judiciary



Steuben. Gov. A. St. Clair. Sec'y S. A. Otis. Roger Sherman. Gov. E. Clinton.
Chancellor R. R. Livingston. John Adams. Gen. Henry Knox.
George Washington.

WASHINGTON TAKING THE OATH AS PRESIDENT,
APRIL 30, 1789

in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at all times, receive for their services, a compensation which shall not be diminished during their continuance in office." Under the authority herein granted, Congress (September 24, 1789) created the Supreme Court,² consisting of a chief-

¹ Congress has since created the offices of attorney general, secretary of the navy, secretary of the interior, secretary of agriculture, secretary of commerce, and secretary of labor.

² There are (1913) nine judges on the supreme bench.

justice and five associate-justices, three Circuit Courts, and thirteen District Courts. The Supreme Court has final jurisdiction over all infractions of the federal law, though cases may originate in the Federal District Court, may be appealed from this court to the Circuit Court, and from thence to the Supreme Court. Cases involving the federal law may be appealed from the highest state courts to the Supreme Court of the United States. It should be remembered, too, that it is the function of the Supreme Court to pass on the constitutionality of only such laws as are involved in cases brought before that body.

**288. The
Bill of Rights**

Congress kept faith with the people in the matter of the promises made by the advocates of the Constitution (280). Some four hundred proposed amendments to the Constitution were reduced to twelve, which were submitted to the states for ratification. The promptness with which ten of them were ratified by three-fourths of the states shows that there was uneasiness in the public mind as to the powers granted the new government. The amendments have been very appropriately styled a Bill of Rights, since they deal with such questions as trial by jury, freedom of the press and of speech, and such personal rights as had been trampled upon in previous days. Articles IX and X are especially significant. "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people"; and "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," indicate how jealous were the people of their local independence. There could be no permanent union which did not cherish the principles of the Bill of Rights. Possibly the great majority of those who had voted for the ten amendments had been unconscious of the fact that in so voting they were encouraging a permanent nationality; indeed, their purpose was almost unfriendly to such result; they had in mind the limiting of arbitrary power, and not the perpetuation of the central government; necessarily, however, in achieving their conscious purpose, they were acting as in-

strumentalities in the great work of development committed to the Anglo-Saxon "in the dark backward and abysm of time." The amendments became part of the Constitution, and the Union became dear to many who had formerly feared it.

If in America it had ever been possible to avert a clash between centralization and local self-government, the conflict surely became inevitable when Alexander Hamilton was ap-
289. Jefferson's pronounced democracy

pointed secretary of the treasury, and Thomas Jefferson secretary of state. Each a distinguished patriot, no two men ever more perfectly typified, in personality and in policy, two opposing ideas. Merely to say that Jefferson was the author of the Declaration of Independence is to say that he was the greatest democrat of all the Revolutionary statesmen. He was perhaps the closest student of political literature and theories of government on the



THOMAS JEFFERSON

American continent. It is said that he could quote passage after passage from Locke, and that he lived in close touch with the great French school of philosophers, Rousseau being his favorite. It is no wonder that his heart was close to the people, though by birth he was an aristocrat. His attitude toward his fellow man and his political thinking are nowhere better reflected than in his inaugural address. Among other things he said: "All . . . will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights which equal law must protect, and to violate would be oppression. . . . Sometimes it is said that man cannot be trusted with the government of himself. Can he then be trusted with the government of others? Or have

we found angels in the form of kings, to govern him? . . . Absolute acquiescence in the decisions of the majority, the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism; . . . the diffusion of information, and arraignment of all abuses at the bar of public reason; freedom of religion; freedom of the press; and freedom of person, under the protection of the *Habéas Corpus* . . . these principles . . . should be the creed of our political faith, the test of civic instruction, the touchstone by which to try the services of those we trust."

290. Hamilton's leanings toward monarchy

In vivid contrast to Jefferson was the great secretary of the treasury. Hamilton was personally attractive, quick, shrewd, and self-reliant. He possessed natural administrative ability, and was the greatest public financier that America has produced. He brought with him to the cabinet a wealth of experience in the Revolution, in the practice of law, and in the congress of the Confederation. An able advocate of the adoption of the Constitution, he yet had little confidence in popular government, and little interest in the aspirations of mankind. To him, government by the people was no government at all. Perhaps if his real political philosophy could be known he would be found at heart a monarchist. He fought for the ratification of the Constitution because it offered a stronger system of government than the Articles provided, and was the nearest approach to centralization possible at that time. His own words may best exhibit his character: "Perhaps no man . . . has sacrificed or done more for the present Constitution than myself; and, contrary to all my anticipations of its fate . . . I am still laboring to prop the frail and worthless fabric. . . . Every day proves to me more and more this American world was not made for me." Again, on one occasion he declared: "Sir, your people is a great beast."

With such differing convictions, and each with the courage to press them, it was impossible that Jefferson and Hamilton should not fight from the moment the new government was launched; while it was equally sure from the beginning that

the contest would be waged around the fundamental question of the powers that the federal government ought to exercise.

Perhaps the first serious matter to confront the new government was one that belonged primarily in Hamilton's department. It was the question of finances. The United States owed a foreign debt of \$11,000,000 and a domestic debt of \$40,000,000, increasing at a high rate of annual interest, and there was no money in the treasury. The credit of the country, both at home and abroad, was extremely poor, while the certificates of the domestic debt were below par. Business was unsettled, as was natural in a period which saw the first stages of government in what the world called an untried experiment.

291. The serious financial difficulty; the tariff

To meet the conditions, Hamilton laid before Congress a series of plans, which for the most part found their way in substance to the federal statute books. The first of his proposal, a scheme which he hoped would pay the interest on the public debt and defray the current expenses of the government, dealt with import duties. Before he came into office, Congress had passed the first Tariff Act in the history of the United States (July 4, 1789). The debates over this measure contain arguments very similar to those which have been used *pro* and *con* on this question from that day until this. Some wanted to protect "our infant manufactures," particularly Massachusetts.¹ South Carolina feared "oppression" from such a policy, and had the sympathy of other states. The bill as finally passed provided for an *ad valorem* duty on several articles, averaging about eight per cent, and a specific duty on others. The rate was looked upon as rather high at the time, and no doubt the manufacturers were jubilant over their initial victory, a mere foretaste of what was to follow, for although the tariff schedules have had attention constantly ever since, the average rate has never again been so low. The measure brought an inadequate

¹ Some wished "to give great encouragement to the establishment of manufactures, by laying such partial duties on the importation of foreign goods, as to give the home manufactures a considerable advantage in price when brought to market." They believed "it both politic and just that the fostering hand of the general government should extend to all those manufactures which tend to national utility."

revenue, so the next year, and again in 1792, upon the recommendation of Hamilton, the duties were raised.

292. Hamilton and the "Whiskey Insurrection"—
1794

To supplement the tariff revenue and to exert the power of the federal government, Hamilton induced Congress (March 3, 1791) to lay an excise on whiskey. The tax was low and did not bring a great amount of revenue at best, while it bore heavily upon the Western frontiersmen, with whom whiskey was the chief medium of exchange,¹ and, therefore, affected not only the distillers, but every man in the whole Western country. Through public gatherings the people protested against the tax, and in many instances threatened and intimidated the revenue collectors. On July 17, 1794, matters came to a crisis in southwestern Pennsylvania, when a mob attacked and burned the house of Inspector General Neville. Then came Hamilton's opportunity to show the ability of the new government to cope with difficulties. Accordingly, under the direction of Washington, he accompanied an army of 13,000 militia gathered from Virginia, New Jersey, Maryland, and Pennsylvania, over the mountains to the scene of the troubles. The army met with no resistance, and soon returned home. Some of the leaders of the insurrection were arrested, tried, and convicted, but were soon pardoned by the president.

293. Democrats call themselves Republicans

In a message to Congress, Washington made unfriendly references to certain classes of citizens who by continued agitation fomented insurrections and encouraged "suspicions, jealousies, and accusations of the whole government." He evidently had in mind the democratic clubs that were formed under French influence. To avoid the possible reflection that might come through the identity of names, Jefferson's associates began to call themselves Republicans.

In the meantime, Hamilton had been working on the financial question along another line. It was generally agreed that foreign obligations should be paid in full. Hamilton proposed

¹ "Western Pennsylvania at this time was primarily an agricultural region. The principal crop was corn. Transportation was difficult and markets were remote. To dispose of their surplus grain, therefore, the farmers converted much of it into whiskey, which was used as a standard of value to take the place of money."

to discharge the domestic debt in the same liberal fashion, paying to the holders of the certificates their face value. This would have been acceptable to the interested parties but for the fact that many of these certificates were no longer in the hands of the original holders and had depreciated in value. Hamilton's plan, therefore, was attacked on the ground that it would not be fair to the original owners of such certificates, and Madison proposed that the government pay the legal holder the amount of his investment, and that the difference between this amount and the face value of the certificates be paid to the original holders. But Hamilton insisted that the government's credit must be strengthened, and that Congress could strengthen it only by paying par value for all outstanding certificates by whomsoever held. He won his contention before Congress, and government securities began to rise.

294. Hamilton's bold financial policy; the full payment of obligations

Hamilton now went a long step farther and proposed the assumption of state debts. This plan was supported on the ground that these debts were incurred in a common cause against Great Britain and should, therefore, be paid for out of the common treasury. It was opposed on the ground that some of the states — notably Virginia — had discharged a part of their debts, and that it would be an injustice to them to make them assist in paying all the debts of the others. A more fundamental objection, perhaps, was the fear that centralization was implied in the proposal. The measure would have carried but for the arrival of the members of Congress from North Carolina, that state having but recently ratified the Constitution. Fortunately for the measure, it now became bound up in the controversy over the federal capital. It was soon ascertained that a small majority in Congress favored establishing the permanent capital somewhere in the North — preferably, perhaps, in Pennsylvania. To this the South, Virginia especially, was strongly opposed.¹ Hamilton saw the

295. The assumption of state debts

¹ The issue became so vital that one member declared: "The question is to be settled which must determine whether this government is to exist for ages, or be dispersed among contending winds."

opportunity; he proposed to Jefferson a compromise: the South should have the capital, if she would vote for the assumption of the state debts; and the compromise was effected, Jefferson influencing enough Virginia votes to turn the scales in favor of Hamilton's assumption measure, and Hamilton obtaining enough Northern votes to place the capital in the South.¹ The great treasurer had won again in his nationalizing process.]

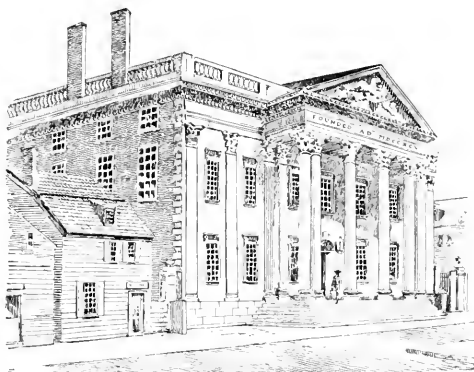
296. The
National
bank;
" loose con-
struction " and
" implied
powers "

Perhaps the most important of all Hamilton's measures, and that which did most to draw the lines of demarcation between the two fields of political thought, was the proposal to establish a national bank. In support of the measure, he urged that it would furnish the government an easy and effective method of collecting and disbursing the public moneys, and that it would improve business conditions through loans to business men. Of course he could see that it would tend to make the business interests of the country subservient to the federal government, and would, therefore, greatly contribute to his general purpose of centralization. When the bill had passed both houses over stubborn opposition by Madison and others who believed with him, and had come to the president for his signature, Washington called for the written opinion of his cabinet. Jefferson opposed the measure on the ground that the Constitution did not give Congress the power to charter banks, and that according to the tenth amendment all powers not specifically delegated to Congress by the Constitution were reserved to the states or to the people respectively. Hamilton, on the other hand, argued that the Constitution conferred such a power upon Congress because it authorized that body "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers," "to lay and collect taxes," and "to pay the debts" of the federal government. In other words, he asserted that such power was "implied" even if not definitely granted. His doctrine of "loose construction" fitted in well with the Hamiltonian idea of government, for it gave to the central power extensive discretion in the exercise of its functions, while

¹ A few months later President Washington chose the site on the Potomac.

the opposite doctrine of "strict construction" was no less compatible with Jefferson's democratic view that people should be protected against the tyranny of arbitrary government. Henceforward there were two well-defined political parties in the United States, and, in a way, they have continued to fight over the policies and principles developed in this bank controversy.

Washington agreed with Hamilton, signed the measure, and the national banking system came into being. The central bank was established at Philadelphia, and eight branch



BANK OF THE UNITED STATES, 1797

banks were opened in other cities. The system was capitalized at \$10,000,000, the United States government owning one-fifth of the stock. Another step had been taken toward the fulfillment of Hamilton's scheme of centralization.

EXTERNAL FACTORS IN CENTRALIZATION

While Jefferson and Hamilton were contending over the meaning of the Constitution, thousands of immigrants were building homes in the fertile valleys of the Ohio, the Cumberland, the Tennessee, the Wabash, and the Maumee. The Ordinance of 1787 (268) had provided for the organization of the Northwest Territory into states under certain conditions. In 1790 Congress passed an act which made possible the organization of the "Territory South of the Ohio." Population now increased rapidly. Vermont was admitted in 1791, and three new states west of the Alleghanies came into the Union near the

297. Growth of the West promotes nationality

close of the century — Kentucky in 1792, Tennessee in 1798, and Ohio in 1803, while Indiana Territory was organized in 1800. In dealing with all this region Congress found abundant opportunity for gaining power and using it.

The receding frontier had brought inevitable conflict with the Indians. Both the legislative and executive departments continually endeavored to prevent friction by enacting laws and making treaties of peace that sought to segregate the two races as much as possible. Despite their efforts, however, war broke out in 1789, and the troops under General Harmer were twice defeated. Two years later, General St. Clair was surprised and defeated, and his army almost annihilated, at Fort Recovery. The administration was greatly exasperated, and committed to Mad Anthony Wayne the duty of regaining the ascendancy. After his victory over the Indians at Maumee, the government was able to secure a treaty by which eastern and southern Ohio were left in undisturbed possession of the whites. Other uprisings of Indians in different parts of the West were put down in the same way, the government in each case dictating the terms of peace. It is not difficult to see that the frontier was unconsciously, but none the less surely, doing its part in the process of nationalization.

298. Wash-
ington be-
gins his
second term;
influence of
the French
Revolution

The closing months of Washington's first administration¹ were full of anxiety over foreign complications which widened the gulf between Federalists and Democrats, and made clearer the principles which each party advocated. The French Revolution had broken out in 1789 and France was undergoing a tremendous political, social, economic, and intellectual transformation that involved all Europe. The movement was essentially democratic and, although it occasioned unpardonable excesses, in most respects it contended for the same issues that had been at stake at Lexington and had been won at Yorktown. The monarchy was abolished in the autumn of 1792, and the king was executed in the following January. The democracy

¹ Washington had been reelected without opposition in 1792, and began his second term on March 4, 1793.

of France delighted the great mass of American citizens, but spread consternation throughout the Old World and led to a coalition of European powers against the new republic.

Early in April, 1793, news reached America that England and France were at war. A wave of popular good-will to France swept from Georgia to New York, and would have drawn America into war but for the wise and firm policy of Washington and his cabinet. On April 12, the president requested the secretary of state and the secretary of the treasury to consider the question of the proper relation of the United States government to the affairs of Europe. A week later, at a meeting of the cabinet, it was unanimously agreed that the United States "should with sincerity and good faith, adopt and pursue a conduct friendly and impartial toward the belligerent powers." Even Jefferson, who had been United States Minister to France in the early days of the Revolution, and who knew how to appreciate the efforts of French democracy, and whose party was almost to a man in sympathy with the Revolution, was firmly of the opinion that "the young republic, as yet without assured power or established friendships in the world, its own government still in its first stages of experiment, must stand neutral in European wars."¹ Hamilton, whose party was particularly strong in the commercial districts, leaned perceptibly toward England and regarded with abhorrence the subversive character of the Revolution. If he had previously distrusted popular government, he now saw positive proof that it led unmistakably to anarchy. He therefore wished to break with France by renouncing our treaties, which had been formed in the days of the Revolutionary war, regarding trade and the defense of the French West Indies. He took the position that since these agreements had been made with the French monarchy which had lately been abolished, they were no longer binding. This view harmonized beautifully enough with Hamilton's monarchistic ideas, which exalted governors at the expense of the governed. However, he was perhaps in a measure

¹ Woodrow Wilson, *A History of the American People*.

driven to this extreme position by the conviction "that, if these gentlemen [referring to Madison and Jefferson] were left to pursue their own course, there would be, in less than six months, AN OPEN WAR BETWEEN THE UNITED STATES AND GREAT BRITAIN." He could see in Jefferson only "a man electrified *plus* with attachment to France," and he told a friend that "they [Madison and Jefferson] forget . . . that it is much easier to raise the devil than to lay him." But to renounce our treaties with France because they had been made with a previous and essentially different administration, was utterly repulsive to Jefferson's democratic sympathies, which looked upon government as the agent of the people. He felt that covenant relations had been entered into with the French people and not with any particular form of government; a change, therefore, from monarchy to republic in no way diminished obligations in the matter. Jefferson was ably supported in this view by Randolph, and this phase of America's relations with Europe went unsettled for the time.

299. Neu-
trality pro-
clamation
displeases
France;
Citizen
Genet

The neutrality proclamation, issued April 26, 1793, greatly disappointed the French revolutionists, and was a prime factor in producing an estrangement between the two countries that led to hostilities a few years later. It committed the United States to a foreign policy of non-interference with European affairs, and thereby set a precedent that has saved the American people a tremendous amount of trouble.

France now sent her Citizen Genet as minister to the United States. Immediately after landing he began to court the democratic element of the people with a view of obtaining assistance for the French revolutionists. He succeeded in arousing enthusiasm throughout the country and began organizing democratic clubs, modeled after the Jacobin clubs of Paris. He even went so far in his misguided efforts as to raise volunteers, commission officers, and plan an expedition against New Orleans, then belonging to Spain. Contrary to the advice and admonition of Jefferson, he sent out from Philadelphia a well-equipped cruiser, and thus lost the respect of those who at

first had received him with favor. He was at length recalled by France, but did not return to that country because, doubtless, he feared the violence of the French government. The incident had intensified party feeling in America, the Hamiltonians reproachfully calling their opponents "Democrats," after the French terrorists, and the party of Jefferson calling the Hamiltonians "the British party."

But if the neutrality proclamation disappointed France, it in no wise won the friendship of Great Britain. The treaty of Paris (1783), had supposedly settled all troubles between the United States and the mother country, but as a matter of fact there had not been strict compliance with this treaty by either party. Great Britain still retained numerous posts in the Northwest, and had violated her agreement relative to the removal of slaves. The United States had failed to lend assistance to the British in the collection of debts incurred by the colonists before the Revolution.

To all these irritants was now added that of the impressment of American sailors. British men-of-war habitually seized American vessels, confiscated their goods, and forced their seamen to enter the British service. Because of racial identity, it was sometimes difficult to establish the illegality of the act. In addition to all these causes of friction both France and Great Britain had taken the position that provisions

were contraband of war; *i.e.*, subject to seizure without legal process. This, with other restrictions upon American commerce, had practically closed the doors to the shipping interests of America. Feeling was at white heat over the situation when Washington appointed Chief Justice John Jay special commissioner to Great Britain to arrange a settlement.



JOHN JAY

300.
Troubles
with
Great
Britain

301. Jay's
treaty;
effect on
France

After months of tedious diplomacy, Jay concluded a treaty (November, 1794) to the effect that Great Britain would abandon, on June 1, 1796, all posts within the territory of the United States and would refer to a commission the matter of boundary disputes and compensation for slaves. Nothing was accomplished with respect to the impressment controversy. Jay's treaty was distinctly unsatisfactory to many Americans, and particularly so to the commercial and industrial interests. Jay was burned in effigy and Washington was made the target of the most stinging criticism, so that he declared he "would rather be in his grave than in the presidency." After a bitter fight, however, the Senate, June 24, 1795, ratified the treaty by the required majority, the vote standing 20 to 10. The treaty had three important results: (1) it postponed an inevitable conflict with Great Britain; (2) it greatly weakened the Federalist party; (3) it renewed French antagonism to the United States. It was this last result which became immediately important.

France was so irritated over the establishment of peace with the British that she no longer courted America. In February, 1796, James Monroe, minister to France, was notified that the Jay treaty had abrogated the French treaties with the United States. A few months later, the commission of the French minister to the United States was revoked; still, the minister remained in an unofficial capacity and tampered with the elections which were being held in the autumn.

302. Presi-
dential elec-
tion — 1796

Washington announced his unwillingness to serve longer as president, and there was a strict party fight between Adams, the Federalist candidate, and Jefferson, the Republican, or Democratic, candidate. A break was showing in the Federalist ranks between Hamilton and Adams, the former advocating the election to the presidency of Thomas Pinckney of South Carolina, the Federalist candidate for vice-president. Moreover, the French government, and particularly its ministry, endeavored to turn the election in favor of the Republicans. These influences, together with Adams's naturally aristocratic bearing, came near to defeating the Federalist party at the polls — the

vote standing in the electoral college: Adams 71, Jefferson 68, and Pinckney 59. Adams thus became president and Jefferson vice-president.

The results of the election added to the anger of France, already kindled by the Jay treaty, and that nation now became more active in the seizure of American vessels. James Monroe, a Virginia Republican, who was United States minister to France at the time, and who was expected to do something to placate the French, seemed to be in sympathy with the policy of the Directory, the governing power of the French republic, and was accordingly recalled by Washington in August, 1796, C. C. Pinckney being sent in his place. Relations with France were becoming so difficult that Washington, in his farewell address, advised his countrymen that



JOHN ADAMS

it was "our true policy to steer clear of permanent alliances with any portion of the foreign world." In the meantime the Directory had refused to receive any more American ambassadors as long as the United States government pursued its present unfriendly course toward the French republic.

When President Adams received the news of the action of the French Directory, he sent over John Marshall, Elbridge Gerry, and C. C. Pinckney as a commission to reëstablish friendly relations with France. On arriving at Paris they were met by agents of the Directory, who opened negotiations, and soon demanded money "for the pockets of the Directory and ministers," and thus directly insulted the American embassy.¹ The news of the attempted bribery brought about a distinct revulsion of feeling in the United States, and the people approved Presi-

303. Effect in France of the election

304. The affair of X. Y. Z.; hostilities with France; a new treaty — 1800

¹ The state department at Washington referred to the persons making the attempt as X. Y. Z.

dent Adams when he declared in a message to Congress, June 27, 1798: "I will never send another minister to France without assurance that he will be received, respected, and honored as becomes the representative of a great, free, powerful, and independent nation."

Preparations for war were immediately begun, and Washington was made commander-in-chief. A navy department was created, and American vessels were authorized to seize French cruisers.¹

Actual hostilities had begun before Talleyrand, the virtual head of the French government, seeing the unpopularity of his policy in France, hinted in 1799 that his country would receive a minister from the United States and attempt amicable settlement.

By the time the commissioners arrived, in April, 1800, the French Directory had been supplanted by the Consulate of Napoleon Bonaparte, and the two powers now concluded an agreement by which peaceful relations were restored, release from the old treaties granted, and an understanding reached as to the rights of neutrals and belligerents. Compensation for French aggressions upon United States commerce could not be obtained, but on the whole the treaty greatly augmented America's prestige abroad, while it increased her own people's respect for their national government.

THE DECLINE OF THE FEDERALISTS

305. The Alien Acts

The foreign relations of the United States had the effect of widening the breach between the two leading parties in the country, while division had arisen between the leading Federalists themselves. The retirement of Washington had greatly raised the center of political gravity, and the Federalists, under the tactless leadership of Adams, had begun a very unwise domestic policy with purpose to discredit their opponents, the Republicans.

¹ The French frigate *Vengeance* fell a prey to the American frigate *Constellation*, and the *Berceau* to the *Boston*.

The conduct of France had brought about such a revulsion of feeling that Congress in 1798 passed the Alien and Sedition Acts, measures plainly aimed at the Republican party.

The first of the series of laws was the Naturalization Act (June 18, 1798), raising from five to fourteen years the period of residence before naturalization.

The second law was the Alien Friends Act (June 25, 1798), which authorized the president to order any such aliens in time of peace as he should judge to be "dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States"; and provided further that "in case any alien, so ordered to depart, shall be found at large within the United States after the time limited in such order of departure, and not having obtained a license from the president . . . shall, on conviction thereof, be imprisoned for a term not exceeding three years, and shall never after be admitted to become a citizen of the United States."

The third act, the Alien Enemies Act (July 6, 1798), provided that "Whenever there shall be a declared war between the United States and any foreign nation or government . . . all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured and removed, as alien enemies."

Finally, the Sedition Act, passed July 14, 1798, provided that **306. The Sedition Act** "if any persons shall unlawfully combine or conspire together, with intent to oppose any measure, or measures, of the government of the United States . . . and if any person or persons . . . shall counsel, advise, or attempt to procure any insurrection, riot, unlawful assembly, or combination . . . he or they shall be guilty of a high misdemeanor and on conviction . . . shall be punished by a fine not exceeding five thousand dollars, and by imprisonment during a term of not less than six months

nor exceeding five years." It was further provided that "if any person shall write, print, utter, or publish . . . any false, scandalous and malicious writing or writings against the government of the United States, or the President of the United States, with intent to defame . . . then such person, being thereof convicted . . . shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years."

This last measure was aimed primarily against the Republican press, which had been especially virulent, and which to a considerable extent was edited by foreigners. While the Alien Acts were very rarely enforced, if enforced at all, they brought about the emigration of a few foreigners who were unwilling to suffer humiliation or undergo any risk of persecution. The Sedition Act was brought to bear against Republican editors in a few instances, but every attempt at enforcement only multiplied Republicans at the expense of the Federalist party.

307. The
Kentucky
and Virginia
Resolutions;
state rights

The Republican reply to this series of Federalist attacks is best represented in the Virginia and Kentucky Resolutions, drawn by Madison and Jefferson respectively. On November 16, 1798, the Kentucky legislature "resolved that the several states composing the United States of America are not united on the principle of unlimited submission to their general government; but that by compact under the style and title of the Constitution of the United States and of amendments thereto, they constituted a general government for special purposes, delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self-government; and that whensoever the general government assumes undelegated powers, its acts are unauthorized, void, and of no force," and further that the Alien and Sedition Acts were unconstitutional and hence, "utterly void, and of no force."

A few days later the Virginia legislature passed a similar measure, and the next year Kentucky took more definite and aggressive action by declaring "that the several states who

formed that instrument [the Constitution], being sovereign and independent, have the unquestionable right to judge of the infraction [of that instrument]; and that a nullification, by these sovereignties, of all unauthorized acts done under color of that instrument, is the rightful remedy." These acts also called upon the other states to join in a similar declaration against federal usurpation, but a majority of the replies were out of harmony with the resolutions. Nevertheless, Madison and Jefferson had put clearly before the country their theories of constitutional government, and had turned the tide of public thought against Federalist policies.

Hamilton's two attempts to thwart Adams's aspiration for the presidency had produced an irreparable breach in the Federalist party, yet Adams was renominated by his party and made a stubborn fight for reelection. Jefferson and Aaron Burr were the Republican candidates for president and vice-president respectively. The Republicans carried the election by a vote of 73 to 65. But since Jefferson and Burr had each received 73 votes there was a tie, and the election now went to the House of Representatives voting by states. The Federalists held a majority of the states; compelled by the Constitution to elect Jefferson or Burr, they threatened to elect Burr in order to disconcert the Republicans, who had intended to elect Jefferson president. Hamilton now used his influence for Jefferson, the "choice of two evils," he thought. Upon the thirty-sixth ballot, Jefferson was chosen president by a vote of ten states to six. This crisis, in which the plain wishes of a majority of the people came so near being defeated, led the Republican administration to propose the twelfth amendment (ratified 1804) to the Constitution, by which the president and vice-president are voted for separately.

For three months after the election Adams and his Federalist Congress still held the reins of government. They were not negligent of their opportunity. Regarding Jefferson as "an atheist in religion and a fanatic in politics" and believing "democracy to be the government of the worst" and its advo-

308. Presidential election — 1800

309. The "midnight appointments"

cates "Jacobins and miscreants," the Federalists perhaps felt that they would do their country service by building as many buttresses as possible against the supposed radicalism of the incoming administration. Accordingly they rushed through Congress the Judiciary Act (February 13, 1801) by which the number of federal judicial officers was greatly increased and out of all proportion to actual needs. The president proceeded to fill these new offices, as well as all others that by any decent method could be made vacant, with loyal partisans. It is said that he sat up until midnight on March 3, signing commissions for the newly appointed Federalist officeholders and then left the capital early the next day without so much as attending the inauguration or making formal transfer of the office to his Republican successor. It was a characteristic performance, revealing again that the Federalist party could not bring itself to believe in the capacity of the people to govern.

The Republicans had fought twelve years for such an interpretation of the Constitution as would guarantee to the states and the people reasonable protection from centralized power in the hands of Federalists. It remained to be seen how they would use their victory.

SUMMARY

The adoption of the Constitution had purposely made the federal tie much stronger (chiefly through the powers conferred upon the executive), though the states made it plain in most cases that they were not surrendering their sovereignty. The spirit of democracy ran strong throughout the land and yet the necessities of the hour made mandatory a stronger national government. It was all but inevitable, therefore, that a conflict should arise over the interpretation of the Constitution and the functions of government. Around two central ideas, aristocracy and democracy, there were formed the Federalist and Anti-Federalist parties representing principles of government that have adhered to our political system from that time until this. President Washington, with leanings distinctly toward the Federalists, succeeded in maintaining the political balance for eight years. He gave the country poise, strength, dignity (its greatest needs at the time), though he did not reconcile the conflicting ideals of government. He was succeeded in the presidency by a man far less capable than he, and

the tide of democracy raised the people's party to power. The nationalizing process had been given a strong impulse; to make it most effective through harmony, it must now be democratized.

REVIEW QUESTIONS

1. How did the term Federalist originate?
2. What is meant by "loose construction"?
- How did the Federalists justify their doctrine of "implied powers"?
3. Show the harmony between the doctrines of "strict construction" and state rights.
4. When and how did the tariff policy of the United States originate?
5. What trait of character do you discern in Washington's management of the first cabinet?
6. Wherein did Hamilton's contention that our treaties with France were no longer binding reflect his political theories?
7. Make a list of evidences that Hamilton believed in centralized government.
8. The location of the national capital was the result of a trade between Hamilton and Jefferson. Do you hear of similar things in politics today? Is it good statesmanship?
9. Why were Hamilton and Jefferson always "pitted against each other like cocks in a pit"?
10. Was Washington's neutrality proclamation wholly wise? Give reason for your answer.
11. What effect did Washington's retirement have upon political parties?
12. How did the frontier contribute to the nationalizing process, or aid the forces of centralization?
13. Which of the great leaders of this period stood nearest the principles for which the American Revolution was fought?
14. What was going on in Europe during the early days of our Republic?
15. What was the cause of the decline of the Federalist party?
16. How was the Sedition Act contrary to the spirit of free institutions?
17. How did the X. Y. Z. affair affect the standing of the United States among the nations? How did it affect the attitude of the people in this country toward their national government?
18. Would Jefferson's political theories have been practicable before 1801?

CHAPTER XIV

GROWTH TOWARD STRONGER UNION

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SOURCES. — Hart, *Source Book, Contemporaries*, vol. iii; MacDonald, *Select Documents*.

ILLUSTRATIVE MATERIAL. — Cunningham, *Paul Jones*; Percival, *Perry's Victory on Lake Erie*; Key, *Star Spangled Banner*; Holmes, *Old Ironsides*.

JEFFERSON'S POLICIES

310. The first Democratic President — 1801

In spite of the twelve constructive, centralizing years of the administrations of Washington and John Adams, the country had elected as the exponent of its political philosophy the man who had inspired the Kentucky Resolutions of 1798 (307). In the political nomenclature of the time, the newly elected president was a Federal Republican; in later days Jefferson came to be thoroughly recognized as the first great Democrat. He believed that development comes from within, if it comes at all, and he believed that it comes. That the people should be trusted to govern themselves was his cardinal political doctrine, and he contended with the utmost sincerity that the power of government is just as safe in the hands of the common man as in the hands of the aristocrat, provided always that there be an equality of intelligence. Moreover, Jefferson's democracy was such as would give the individual the greatest possible freedom and limit the power of government to the narrowest functions consistent with the good of the governed. His idea of the powers of government is given in one sentence of his inaugural address: "The sum of good government is a wise and frugal government

which shall restrain men from injuring one another and leave them otherwise free to regulate their own affairs."

The official and social manner of Washington, as well as of Adams, had been largely patterned upon the form and ceremony which had been cherished by the royal governors. Each had ridden to and from the capitol in a carriage of state, emblazoned with a coat-of-arms and drawn by richly caparisoned horses more numerous than profitable, while servants in livery attended with the obsequious deference quietly but peremptorily demanded by aristocratic usage. And then came Jefferson, he also of an aristocratic family, cultivated, refined, learned, distinguished, and more than all, *able*, and he quietly threw off the shackles of monarchical custom; he walked to the capitol for his inauguration; rode his horse afterward to and from his lodging, and tied his horse under a shed.

In harmony with his democratic ideas, the new president began at once the reform of abuses which had been committed in the period between his election and the retirement of his predecessor. The superfluous courts which the defeated Federalists had created in order that places might be found for outgoing officeholders were promptly abolished by law, and an honest endeavor was made to fill all necessary offices with serviceable men, without regard to party affiliation, so that a considerable minority of the officials appointed under his direction were found to belong to the party opposing him. Not only honesty, as shown in the impeachment of federal judges for incompetency and drunkenness, but economy also distinguished the new administration. Confident of the correctness of his political philosophy in its decision that oppression rather than liberty gave rise to sedition, he reduced the standing army. What need of a great number of soldiers to compel right-minded men to do right? A force of 2500 men could garrison the forts on the frontier and keep the Indians in awe; as for American citizens, an attempt to awe them would be an insult and would cause them to hate a government of which they should naturally be proud. So the army was reduced by almost half, and the navy

311. Democratic simplicity

312. Jefferson's domestic policy

from twenty-five ships to seven; and though the excise laws of Adams's administration were repealed, thus decreasing the revenue, under Jefferson's economizing policy, the national debt was reduced from \$83,000,000 to \$45,000,000.

313. Jefferson's foreign policy

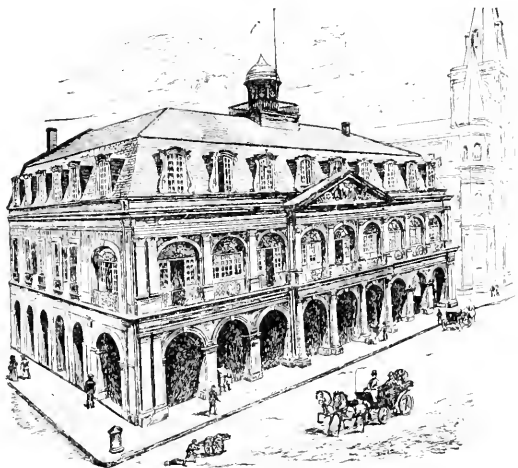
Evidently, with such an army and such a navy, it was Jefferson's policy to cultivate an "honest friendship" with all foreign powers. That he did not fully succeed was owing to European wars conducted on a most enormous scale, and frequently in defiance of the laws of nations. And yet Jefferson's foreign troubles were few; he was compelled to take action in the Tripoli matter, but he succeeded in averting war with France and in acquiring from Napoleon a domain greater than was the United States when he became president; and he also succeeded in postponing inevitable war with Great Britain until America was less unable to cope with that power. It is quite evident that Jefferson's philosophy was not marred by a belief in heavy armaments and in a belligerent attitude before nations.

ADJUSTING OLD THEORIES TO NEW CONDITIONS

314. The Louisiana Purchase — 1803

Already the country had been called to face a serious trouble arising from the necessities of the western Pennsylvania farmers who, unable to market their bulky produce, had, by distillation, reduced it to a form in which it could more easily bear long transportation (293). And now thousands of immigrants, who later had built homes in the great agricultural valleys west of the Alleghanies, were producing a large surplus of foodstuffs which found difficulty in reaching a market. The mountains shut them off from the Atlantic seaboard, and there were few navigable rivers that did not find their way to the great Mississippi, at whose mouth a foreign power held control. The treaty with Spain, made in 1795, had stipulated that citizens of the United States should be permitted to store their goods in New Orleans and re-ship them in seagoing vessels bound for foreign ports. But in October, 1800, by secret treaty, Spain ceded New Orleans to France, and rumors began to spread that the river would be

closed. Jefferson, in 1802, learned of the cession to France, and, willing to make any reasonable concession in order to secure treaty rights to the river at its mouth, sent James Monroe as special envoy to assist Robert R. Livingston, the American minister in France, in making a treaty. In the meantime, Napoleon had been made first consul for life, and his ambition was unlimited. Louisiana was considered by Napoleon only a means to his ends; as the United States seemed to need



THE OLD CABILDO OF NEW ORLEANS

In this building took place the official transfer of Louisiana by France to the United States

privileges there, let the United States pay for the privileges, and pay roundly, for the French military chest needed replenishment. So Napoleon, through his minister Talleyrand, met the American envoys halfway and a bargain was struck. France ceded the whole of Louisiana to the United States for the sum of \$15,000,000—about two cents per acre—more than \$3,000,000 of which was to be paid to American citizens in satisfaction of damage claims against the French government.

The Louisiana purchased from France contained, in round numbers, one million square miles of the best land in the world, on which grew the primeval forest, interspersed with fertile prairies and furrowed by noble rivers. The white population, at the time of the purchase, was perhaps 50,000. In less than a century it had increased to more than 15,000,000 comprising

315. Extent and possibilities of the Louisiana territory

the inhabitants of fourteen great states, with an average area greater than all New England.

316. Jeffer-
son's
dilemma

In the question of purchasing Louisiana, Jefferson had deliberated upon a case of enormous importance to the people of the Western country, whose future prosperity clamored for his affirmative decision. No doubt the president was thoroughly aware that the purchase of the territory would tend mightily to increase the power of the central government through the individual interest of each state in a common investment, as well as by reason of a future population within the territory, a population made up from all the states and owing allegiance to all. The situation was such as might well cause him to consider again his advocacy of "strict construction" and his hostility to the "implied powers" political heresy as exposed in his own Kentucky Resolutions, as well as in those of Madison for Virginia. At first, he purposed asking for a constitutional amendment providing distinctly for this purchase, but to seize the wonderful opportunity, immediate action was advisable, if not imperative. He sympathized deeply with the people of the West, but so far as the greatness of the population was concerned, he cared little. In reply to the suggestion that so much territory might in the future cause divergence of political thought and consequent division into states, he said: "Whether we remain one confederacy, or form into Atlantic and Mississippi confederacies, I believe not very important to the happiness of either." That Jefferson finally decided to give the people who were most interested the benefit of the doubt was entirely consistent with his view that the people in large groups and in small groups should always be allowed to regulate their own affairs (290). If he did violence to his dogma of "strict construction," he upheld his creed of "local self-government," and well might have claimed immunity from criticism on the ground that his opposition to the "implied powers" preachment was based primarily on the contingent use of such power — whether for the good of the people in their homes, or, on the contrary, for the purpose of subjecting them to any degree of despotism. And

the people understood and approved, giving him in his second election 162 electoral votes against 14 for his opponent.

Having acquired the new region, the administration was under the necessity of furnishing it with such local governmental machinery as would conform at once to its needs and to the requirements of the Constitution. The greatest part of the population was on and near the lower Mississippi, and was of French extraction. The people differed, therefore, from the Americans in race, language, and institutions. In providing a government for them Congress at first ignored racial differences, and created the Territory of Orleans in the lower part of Louisiana, and placed its administration in the hands of a governor, a secretary, and a legislature appointed by the president

317. Organizing the new territory



WILLIAM CLARK

From Lewis and Clark's *Travels*



MERIWETHER LEWIS

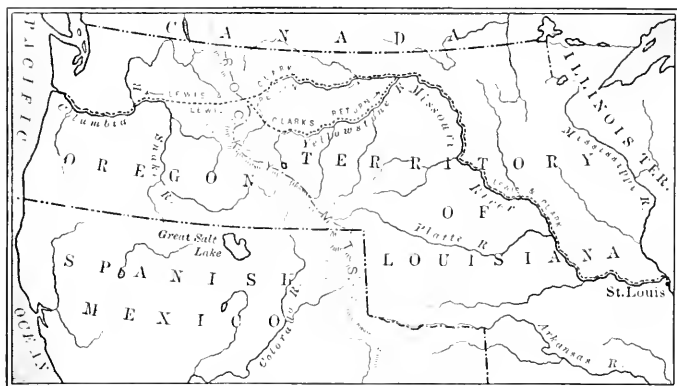
of the United States. Such was the dissatisfaction of the "subjects" that Congress gave them, the next year, an elective legislature, and in 1812 admitted Louisiana into the Union as a state.

Soon after the treaty was concluded, the president sent William Clark, his secretary, and Meriwether Lewis to explore the north-
318. Exploring the new territory — 1804-1806

ern and almost unknown parts of the territory acquired. Setting out from St. Louis in May, 1804, with about forty men, they ascended the Missouri river ¹ 1600 miles to the Rocky mountains. Then they journeyed

¹ At one of their bivouacs on the bank of the Missouri, they received a visit from Daniel Boone, then 70 but vigorous, who expressed regret that other matters prevented his joining the expedition.

down the Columbia to its mouth. A claim which the United States already had to the Pacific coast through the visit of Captain Gray in 1792, was made very strong by the expedition of Clark and Lewis.



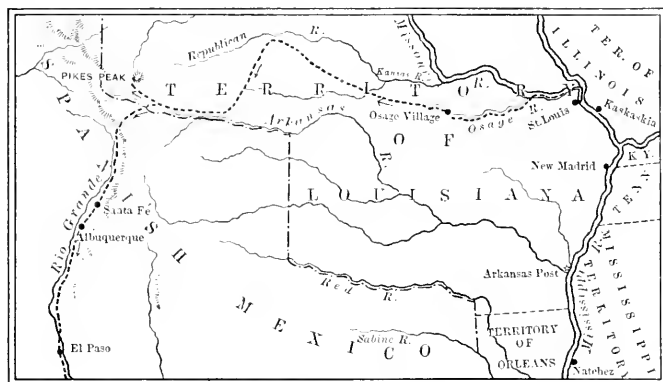
ROUTE OF CLARK AND LEWIS

Another expedition under Lieutenant Zebulon Pike had for its purpose the exploration of other parts of the new territory. Two months before Clark and Lewis returned to St. Louis, Pike started westward from that town. He passed through what are now Missouri and Kansas, then on to central Colorado, where he saw the great peak which bears his name and where the whole party were arrested by the Spaniards for invading their territory, and carried to Santa Fé as prisoners. They were not held very long, however, and they returned through Texas to the states.

319. Significance of the Louisiana Purchase

In many ways the purchase of Louisiana is one of the most significant single incidents in American history. We have already seen what pains Jefferson was put to in finding legal justification for it. But what is of greater significance is the fact that in sacrificing a principle of his political faith, strict construction, he and his party consciously showed preference for national interests. Not only without specific constitutional power, but directly under executive initiative, Jefferson per-

formed "an act that did vastly more to consolidate national power than any act of either Hamilton or Adams."¹ Again, the popularity of Jefferson's action in this case is a telling index to the growth that had taken place in the idea of nationality.



ROUTE OF ZEBULON PIKE

People were not afraid of executive power even, when exercised courageously and patriotically.

The acquisition of one million square miles of fertile territory attracted thousands of settlers into the new region and gave rise to many vexing problems relative to the admission of new states into the Union. Every time the federal government made a law pertaining to Louisiana, created a territory, decided a case in court, or admitted a state to the Union, it gave effective exercise to the federal arm. It was inevitable that the people who settled this region should look to the Union rather than to their territorial or state governments as the source of highest authority.

The purchase was significant, too, for the institution of slavery. The greater part of the vast region was ordained by nature to be free. The balance between Northern and Southern power was destroyed, or would be in time.²

¹ Mace, *Method in History*, p. 175.

² New England threatened to secede because she thought it would give slavery an undue advantage.

Finally, the purchase bound to the Union, through the consequent control of the Mississippi, a country of almost infinite possibilities, which the national government had heretofore largely ignored — the West and Southwest. The absence of transportation facilities to the East made necessary for the people of this country the free navigation of the river. Without it their surplus of corn, wheat, hogs, and tobacco was practically worthless to them and to the world. In their distress they had often desired relief from the government. Failing to receive it, they had threatened secession. After the purchase, their commerce mingled freely with the commerce of the nation and performed its part in developing, west of the Alleghanies, the spirit of nationality. Its significance in this direction is abundantly illustrated in the experience of Aaron Burr.

320. Hamilton and Burr — 1804 Hamilton, for using his influence in 1801 to cause the election of Jefferson rather than Burr, had not been forgiven, and when the vice-president saw his candidacy for the governorship of New York fail through Hamilton's efforts, his active enmity was aroused. A quarrel was followed by a duel forced upon Hamilton, who fell mortally wounded at the first fire. The vice-president was untouched, so far as his physical frame was concerned, but the duel hurried him to ruin.

321. Burr's downfall; 1804-1807 After the duel with Hamilton, Burr engaged in an undertaking which, in spite of the mystery in which it was enshrouded, meant at least filibustering, if not treason. Arms were collected on the Ohio, men enrolled, and everything made ready for an expedition to the Southwest, the object of which has never been certainly disclosed. General Wilkinson, commanding in that region, was concerned in the enterprise at first, but when he learned more fully what Burr intended, he withdrew from it and revealed what was going on. Jefferson ordered Burr arrested, and he was seized by United States officers near the boundary of Spanish Florida. At his trial for treason, in Richmond, Chief Justice John Marshall presiding, no overt act of treason was proved, and Justice Marshall directed the jury to acquit him.

The general belief is that Burr was endeavoring to found a new empire in Mexico, with himself on the throne as "Aaron I." The protection of the commercial interests of the Southwest, through the purchase of Louisiana, probably saved the national government a serious loss through defection in this region under the leadership of Aaron Burr.

FOREIGN COMPLICATIONS

While Jefferson was having difficulty in finding constitutional right to purchase Louisiana, his love of peace and his determination to give the country an economical administration of its business were being put to test by a number of foreign com-



JOHN MARSHALL

322. The trouble with Tripoli

plications. The Mohammedans of North Africa had developed piracy into an institution, which was supported by forced levies on merchant ships of other countries. Although the president stood firmly for a reduced naval force, he was compelled to recognize the usefulness of an efficient navy when the deys and beys and pashas of Tripoli made war upon the United States. Commanders Decatur, Preble, and Bainbridge soon brought them to terms.

During the first two years of Jefferson's second term, very **323.** much of the carrying trade of the world came into American **Troubles on the high seas** hands because of war in Europe, for the United States was neutral and cargoes in her vessels were not liable to seizure. But in 1806 Great Britain, with the intention of weakening Napoleon, now Emperor of France, issued a proclamation declaring that all the ports from Brest to the Elbe were in a state of blockade. This act authorized the seizure of any vessels that should attempt to enter the ports named, and of course greatly injured American commerce. But, as though to add to the trouble,

Napoleon now issued a decree from Berlin, which city had just fallen into his hands after the defeat of the Prussian army at Jena and Auerstadt, declaring the British Isles in a state of blockade. In January, 1807, Great Britain declared the whole coast of Europe blockaded, and vessels bound from one French port to another liable to seizure and confiscation; and this proclamation provoked Napoleon's Milan Decree, in which he directed the seizure of all such ships as should submit to be searched by the British. It is estimated that two hundred American vessels were seized by the British in 1807. By this time the Jay treaty had expired, and America was without recourse except to the law of nations or the law of might.

324. British and French aggressions; the Embargo Act —1807

Both Great Britain and France fell upon American merchant vessels at pleasure. Great Britain impressed American seamen, forcing them into her service by thousands. The peace-loving Jefferson saw a war party arising in America. He was urgently advised that the only wholesome treatment for a bully was the application of force in large measures, but he believed that men would do right as they understood the right, and so he began his efforts to settle the troubles through diplomacy. First, he issued a proclamation warning all British war vessels to keep away from American shores. Then he called Congress in extra session and recommended the passing of an act which would forbid vessels in American ports from going to sea. The Embargo Act was duly passed. This protest, for that was what it amounted to, resulted in nothing, unless perhaps it saved a number of American ships from seizure. The trouble increased, and when Monroe and Pinkney arranged a treaty with Great Britain, perhaps the best that could have been made in 1807, its terms were so humiliating that Jefferson returned it without submitting it to the Senate. Matters rapidly grew worse. The American merchant marine had been crushed between two millstones — but whether Great Britain would prove to be the upper none could yet tell. Doubtless Great Britain felt that in resisting Napoleon she was fighting for the good of civilization. She might easily ascribe virtue to any act which

would increase the probability of success, and American trading vessels must not get in the way. The worst of British arrogance was shown in the attack on the *Chesapeake*, a war vessel of the United States, by the British frigate, *Leopard*, in June, 1807, in which eighteen men were slain, four seamen seized, and the United States greatly humiliated. The act was disavowed by Great Britain and belated reparation made.

The embargo continued, in spite of evasion and in spite of great losses in trade. Those American vessels that remained in harbor for the two years rotted where they lay, while "American seamen were forced to seek employment under the British flag, and British ships and British commerce alone occupied the ocean." New England, a commercial region, suffered greatly, and was forced to develop manufactures. The agricultural parts of the country suffered less, yet even they felt the loss of markets for their crops. But there were many evasions of the Embargo Act. Shipowners found such great profit resulting from a successful voyage that the danger of complete loss of vessel and cargo was frequently incurred. Smuggling to Canada grew quite common.

On February 28, 1809, the Non-Intercourse Act was passed by Congress. The act virtually repealed the Embargo Act, so far as concerned all other nations besides France and Great Britain. Trade revived, and though some ships were seized, the outlook began to brighten.

James Madison, who succeeded to the presidency on March 4, 1809, had served as secretary of state during Jefferson's entire term of office. Thoroughly familiar with the affairs of state, the foreign policies of Jefferson continued. While Madison



JAMES MADISON

325. The
Non-Inter-
course Act
— 1809

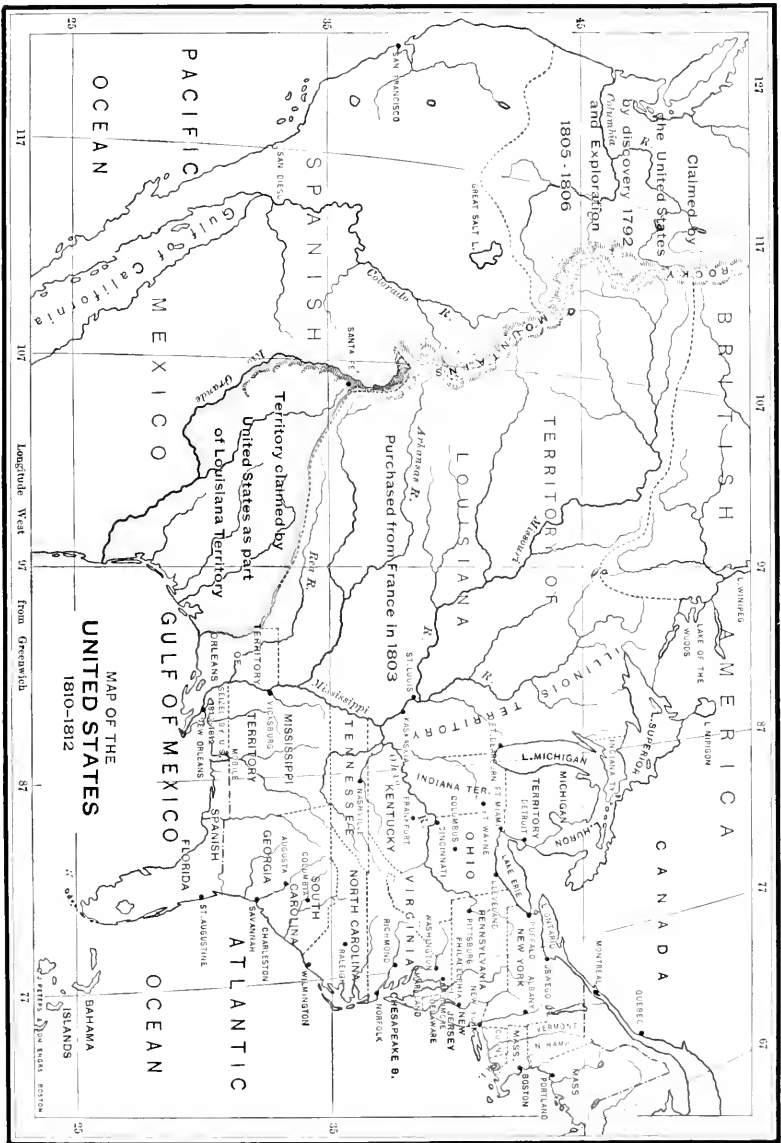
326. The
fourth presi-
dent —
1805; the
Western
Americans

son was greatly pleased with the British envoy, Mr. Erskine, who signed a treaty for Great Britain, agreeing to withdraw the Orders in Council, the British government refused the treaty and recalled Mr. Erskine. The continued oppression by the British could have but one result on the American mind. New leaders were springing up, who, though Democrats, could not be kept quiet within their party in the face of so much outrage. Clay and Calhoun, the leaders of many others of their age and spirit, had come upon the political stage. They thought that America had borne enough, and, indeed, the patience of the people had been worn out. This sentiment was strongest west of the Alleghanies, a region thoroughly democratic because of its free frontier life. It was also nationalistic, because it was the child of the Union. "Here no pride of statehood diminished the affection and devotion of the citizen to the government under which he held the title to his land; to which he looked for protection from the savage foe; which opened up the navigation of the rivers to his clumsy flatboat; which endowed the school in which his children learned to read. Constitutional scruples were at a discount with these rude, strong, brave men. . . . They wanted a government, and a strong government, and in the continually growing power of the republic they found the competent object of their civic trust and pride and love."¹ The sentiment of this region was prophetic of the democratized nationality of the Monroe period.

Two events occurred to give more urgency to the spirit of resistance. First, the British ship, *Little Belt*, fired upon the United States frigate, *President*, in American waters, and the *President* replied so effectively that the *Little Belt* was disabled; and the entire seacoast applauded. A few months later a great victory over the Indians under Tecumseh was gained on Tippecanoe creek by General William Henry Harrison; and now the West applauded. The war spirit was unmistakable.

President Madison at length yielded to the demands of the war party in the country and in Congress and sent to that body

¹ Walker, *Making of the Nation*, p. 171.



a message in which he asserted that the British government was already making war upon the United States. Not only had Great Britain blockaded foreign ports and thus injured American commerce, but she had even placed American ports in a state of virtual blockade, impressed American seamen, and incited the Indians to ravage the frontier. His advice to declare war upon Great Britain was adopted June 18, 1812.

Congress immediately called for 50,000 volunteers, proceeded to increase the regular army to 25,000 men, and recommended that the several states take measures for raising a volunteer force of 100,000 men for the purpose of repelling invasion. Congress also negotiated a loan of \$11,000,000 to be expended in increasing the navy and in carrying on the war.

At this time Napoleon was crossing the Niemen with 400,000 men to invade Russia; and Great Britain, although furnishing means for assisting Russia, was free to use her land forces in crushing America. As to the navy, Great Britain possessed a thousand ships, and the United States but fifteen. The population of Great Britain was about 20,000,000; that of the United States 8,000,000. Great Britain's customs amounted to £70,000,000 yearly, a sum thirty-five times as great as the United States could possibly collect. True, Great Britain's expenditures in the European wars were enormous; but for this condition, and the probability that the French would continue to demand much attention from the British, America's cause would have seemed utterly hopeless from the first. It was not strange that Jefferson and Madison had shown reluctance to demand war as a settlement of America's grievances — and yet, now that war was declared, America's grievances came uppermost in mind, and found utterance in the popular war cry, "Free Trade and Sailors' Rights." Still, there were many who opposed the war. New England was greatly disaffected. Connecticut refused to send troops to the Northwest border. Of the \$10,000,000 raised by Congress for war purposes, New England subscribed but \$1,000,000, although fifty per cent of the currency of the

328. Un-
readiness
for war;
opposition
in New Eng-
land

country lay in her banks and in the pockets of her people. The British, while warring against America on the Lakes, were able to secure supplies of beef from New England contractors. The opposition grew stronger as the war progressed. Threats of secession were frequent, and from leading citizens. In those days there was little arguing against the abstract right of withdrawal from the Union. It would have astonished many men who had voted for the Constitution to be told in 1814 that they had voted for a complete and perpetual surrender of their state to a syndicate of states. In the dark days of 1813 Jefferson wrote: "Some apprehend danger from the defection of Massachusetts. It is a disagreeable circumstance, though not a dangerous one. If they become neutral we are sufficient for our enemy without them, and in fact we get no help from them now." It was not Massachusetts, however, but New England, that was lukewarm.

329. Sentiment for secession; the Hartford Convention

Speaking of the bill for the admission of Louisiana in 1811, Josiah Quincy of Massachusetts had said: "If this bill passes, it is my deliberate opinion that it is virtually a dissolution of the Union; that it will free the states of their moral obligation, and as it will be the right of all to do, so it will be the duty of some definitely to prepare for separation, amicably if they may, but violently if they must." The opposition reached its climax in New England in 1814 when, at the suggestion of Massachusetts, twenty-six delegates from five states met in the Hartford Convention and remained almost for a month in session behind closed doors. The convention sent a committee to Washington bearing the following resolution: "States which have no common umpire must be their own judges, and execute their own decisions." They proposed a number of amendments to the Constitution, which Congress was requested to submit, depriving the general government of powers, especially such as involved financial affairs. The whole movement was intended to lessen the powers with which the states had already charged Congress, or to secede in case of failure to secure the desired amendments. The committee arrived in Washington amid

the general rejoicing over the two great events, Jackson's victory and the signing of the treaty of peace. The influence of these results destroyed the remainder of the Federalist party.

In spite of all the obstacles raised at home, and the overwhelming disparity in strength of the two belligerents, the war was fought to a successful issue — and the United States pressed forward with quickened pace toward its greater freedom and stronger government.

THE SECOND WAR FOR INDEPENDENCE

The government of Great Britain was but little better prepared for war on the border than was that of the United States, and it seemed wise at Washington to invade Canada before the British there could be reënforced from beyond the sea. Besides, there was much disaffection in the Canadian provinces, according to report, and Great Britain might well be glad to offer terms of peace rather than press a war which might result in the loss of the last of her American colonies.

General Hull, commanding in the Northwest, marched with 2500 men into Canada from Detroit, found General Brock advancing against him, and marched his 2500 men back to Detroit, which post, with his army, he surrendered without a struggle on August 16, 1812.¹ Michigan was now in the hands of the British, and great alarm was felt throughout the Northwest. But thousands of volunteers came forward and were enrolled under command of General William Henry Harrison, who had succeeded Hull.

General Van Rensselaer marched to the Canadian border with 6000 men; then, leaving on the American side 5000 who refused to enter upon a war of invasion because they were volunteers to repel invasion (327), crossed with 1000 men and took the fortification at Queenstown after some severe fighting in which a certain Colonel Winfield Scott did his duty. Then Van Rensselaer returned in person to the

¹ Hull was tried by a court martial and sentenced to be shot, but his life was spared because of his services in the Revolution.

330. Invasion of Canada projected

331. The military operations on the border; 1812

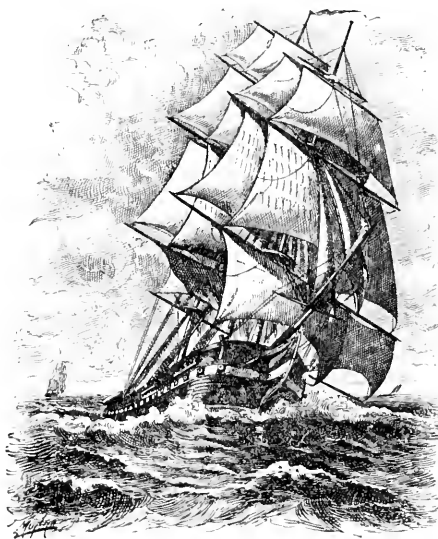
American side in order to reason with his volunteers, and meantime, the British, having been reënforced, retook the fort and all the American troops within it, October 13, 1812. Van Rensselaer immediately sent in his resignation.

The two disasters were sufficient cause to deter General Dearborn, in command of the third division designed to invade

Canada, from advancing.

In the succeeding year little was effected by land. Harrison won the battle of the Thames, in which the great chief Tecumseh fell, and recovered the Northwest. General Dearborn took York and left it in flames. The end of the year found the Americans within their own borders. The relative advantage had hardly been changed by the encounters on land. General Brown and Winfield Scott

332. Campaign in Canada; 1813



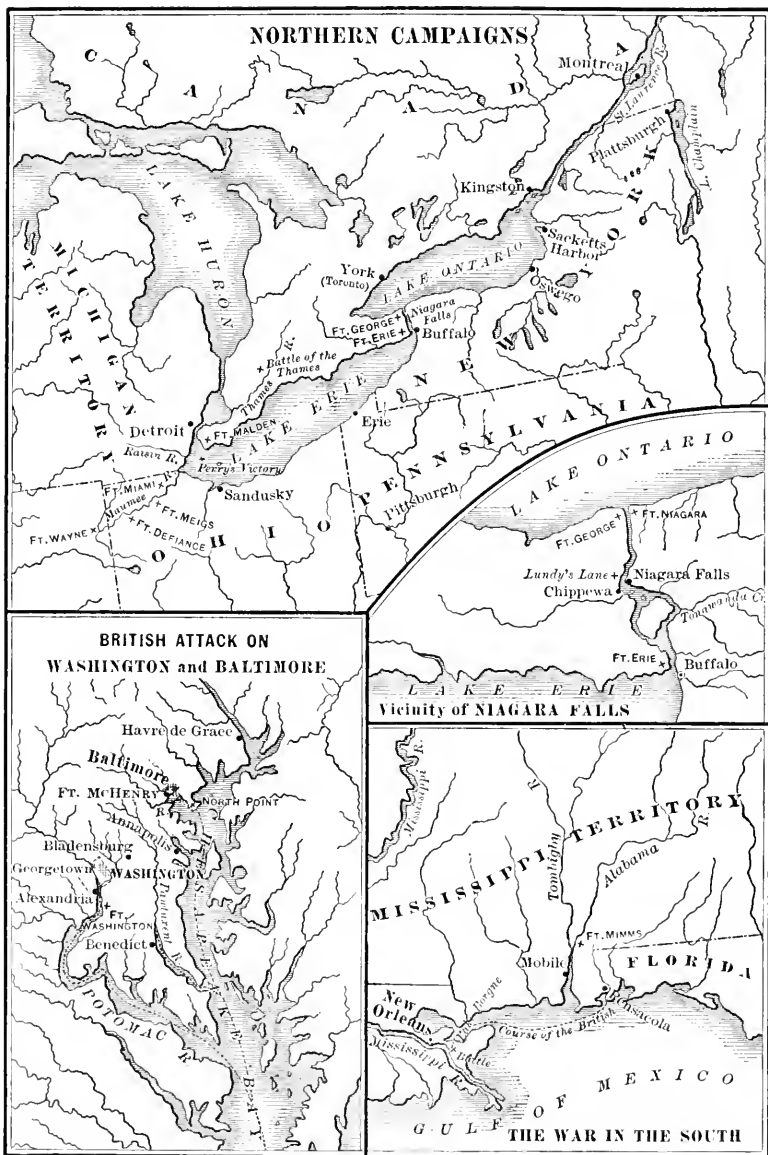
THE "CONSTITUTION"

Launched in 1797; now in the
Boston Navy Yard

333. The navy in the War of 1812

had fought well at Chippewa and Lundy's Lane.

It would be hazardous to say that the British were more astonished than the victors by the success of the Americans at sea. First, the *Constitution*, August 19, 1812, forced the surrender of the *Guerrière* after a thirty-minutes battle in the Gulf of St. Lawrence. In October of the same year, off the coast of North Carolina, the *Wasp* captured the *Frolic*, a British brig of heavier metal, after a contest lasting an hour. The other side of the picture was seen when Lawrence was mortally



REFERENCE MAPS FOR THE WAR OF 1812

wounded and his frigate, *Chesapeake*, surrendered to the *Shannon* outside Boston harbor on June 1, 1813. But Oliver Hazard Perry, with a few unseasoned vessels, on September 7, captured from the British on Lake Erie, "two ships, two brigs, one schooner, and one sloop," and at the same time captured all the hearts of America with his laconic report. It was this

*We have met the enemy and they are ours.
Two Ships, two Brigs one
Schooner & one Sloop.
Yours, with great respect and esteem
O. H. Perry.*

FACSIMILE OF PERRY'S REPORT TO GENERAL HARRISON

victory that enabled General Harrison to advance and win the battle of the Thames. Besides these successes, the American sailors gained victories under Decatur, Bainbridge and Porter, and Macdonough. Perhaps the greatest injury done at sea was by the American privateers. It is estimated that during the war they captured more than 2500 British vessels. Rates of insurance on shipping rose to prohibitory figures in some cases, and the English merchants and shipowners, who had helped to bring on the war, were beginning to clamor for peace.

334. The
British in-
vasion —
1814; Wash-
ington, Bal-
timore,
Plattsburg

A more vigorous prosecution of the war on the part of the British followed Napoleon's abdication in April, 1814. There were great fleets sent to the American shores, and a land force under General Ross designed for the capture of Washington. To coöperate with this movement, a British fleet on Lake Champlain protected the advance of an army under General Prevost.

General Ross landed 5000 men in August, and began his advance against Washington. The main American armies were still on the Canadian border, and the capital was without adequate defence. The militia under General Winder could do no more than retard the advance of the British. The president and cabinet and a host of private citizens became refugees from the city. Ross entered Washington on August 24, burned the public buildings in retaliation for the destruction committed by Dearborn at York, and reëmbarked with the purpose of capturing Baltimore. The British advanced to attack the force of volunteers drawn up to defend the city, and a skirmish occurred on September 11, in which General Ross was killed. Meanwhile, the fleet had been ordered to assist in taking the city and it now diligently bombarded Fort McHenry, but nothing was accomplished. The campaign was given up, and the army reëmbarked, the troops being transported to the West Indies to join in a campaign against New Orleans.

On the day of the skirmish near Baltimore, in which the British General Ross lost his life, a naval engagement was fought on Lake Champlain. General Prevost had advanced with 14,000 men, his purpose being the invasion of New York state, while the British fleet on the lake should protect his base. The Americans had some 1500 men at Plattsburg, in a good position, and a small fleet on the lake under Commodore Macdonough, who at once accepted battle, and within a few hours utterly defeated his antagonist. Meanwhile, an engagement had begun between the land forces, but General Prevost retreated hurriedly when he learned of the disaster to the British fleet.

The great Tecumseh had not been content with causing war in the Northwest, and he succeeded in his efforts to incite the Creeks in the far South to take up the hatchet. In August, 1813, occurred the massacre at Fort Mimms, not far from Mobile. Following this event, General Andrew Jackson led his Tennessee riflemen into the Indian country and defeated the Creeks at Talladega and Emuckfau, and in a fierce battle

335. War
in the
South;
Andrew
Jackson

at the Horse Shoe Bend of the Tallapoosa river—Tohopeka in the Indian tongue—he broke their power completely and they were compelled to sue for peace. One of the Americans who fought in this battle became president of the Republic of Texas. He was wounded while serving on the staff of a future president of the United States.

**336. Battle
of New
Orleans
—1815**

A treaty made by the usurper is void, argued the British. Napoleon being in exile in Elba, the province of Louisiana, which he had sold to the United States a few years previously, was



GOLD MEDAL PRESENTED BY CONGRESS
TO ANDREW JACKSON

fair game in war. So General Pakenham, brother-in-law of the great Wellington, came with 12,000 trained men to take New Orleans and Louisiana. Little opposition was expected.

There were no American troops worth speaking of within a thousand miles, except perhaps a few volunteers who were resting a while after the campaign against the Indians. But Madison gave orders that Andrew Jackson should be placed in command in Louisiana, and the frontiersmen of the Southwest rallied to him by scores and hundreds, and when Pakenham came up the river he found intrenchments, and riflemen behind them, and cotton bales in places, with the muzzles of cannon showing. On January 8, 1815, Pakenham advanced to the attack, and Jackson's men remained behind the intrenchments and the cotton bales and shot the British down until they turned and gave up the struggle. Pakenham here met his death, as had Brock in Canada and Ross at Baltimore.

**337. The
Treaty of
Ghent**

On December 24, 1814, peace had been concluded, two weeks before Jackson, at New Orleans, had wiped out the disgrace of Hull at Detroit and the burning of the capitol. John Quincy Adams, Albert Gallatin, James Asheton Bayard, Henry Clay, and Jonathan Russell had met the British Commissioners at the little Dutch town of Ghent and agreed to terms of peace which

amounted to little more than an agreement to quit fighting. The treaty did not mention "Free Trade and Sailors' Rights"; still, Great Britain never afterward annoyed American ships and never impressed American seamen.

More important than the events of the war were the results that flowed from it in the form of ideas and sentiments. Prior to the war, the Republicans, the unwitting instrument of the centralizing process, had been led to take up arms by a frontier democracy (326) and the rising tide of nationality. Indeed, the war was itself an assertion of the nation's determination to be free. The people were becoming conscious of unity and of its corollary, strength. They were coming to see the necessity of relying upon the federal arm for the protection of their country's honor. But while this sentiment had been strong enough to turn the scales in favor of war, it had been timid in some quarters and almost refractory in others. It was not yet strong enough and universal enough to inspire confidence and brush aside obstacles by sheer enthusiasm. The whip of Necessity drove the Republicans to war and war dissolved their fears of nationality. The Federalists gave faltering aid to the war and the war rendered ridiculous their fear of democracy. The outcome was a virile consciousness of democratic nationality. Democracy and nationality had fused. Federalists came to have confidence in the capacity of the people, and the people were no longer so fearful of centralized power. In the storm of war the *Republican* lost its mainmast, but succeeded in appropriating the ballast of the *Federalist*. The *Federalist* turned turtle, sank in the sea of democracy, and when the survivors reached the shore, they had been transformed into *National Republicans*. 338. The war's effect in a democratic nationality

Madison was the last of the Revolutionary statesmen, and Monroe was the president selected from the most brilliant group of men that ever illuminated the pages of American history. He was not the equal of Clay or Calhoun, or a number of others, in oratory or other peculiar power, but in experience and diplomatic skill there was none to approach him. He had been

chosen to assist in the Louisiana Purchase, which made him secretary of state, which made him president; while, coming into office with the support of both Jefferson and Madison, he enjoyed almost unequalled prestige.

MONROE'S ADMINISTRATION

339. The
fifth presi-
dent—1817;
the cabinet

The president surrounded himself with a great cabinet — the greatest perhaps since Washington's. John Quincy Adams was his secretary of state; William H. Crawford was his secretary of the treasury; John C. Calhoun, secretary of war; and William H. Wirt, attorney general. During his first term, Daniel D. Tompkins, former governor of New York, was vice-president. The next few years could not be less than great in progress along all lines.

Four years later (1820), Monroe was elected again without opposition; Vice-president Tompkins was also reëlected.

As if to hasten the process of unification, President Monroe had little more than taken the reins of government when he made a tour of the country. He traveled for days through the New England and Middle states, presumably on a tour of inspection of national defences. His presence put to rout whatever anti-national feeling may have remained in those regions and at the same time greatly stimulated the spirit of democracy. A New England newspaper, a former Federalist organ, spoke of the new administration as inaugurating "an era of good feeling." No president had ever gone among the people in such fashion, and the democracy did not fail to recognize Monroe's method as "the genuine article." Wherever he went he inspired fresh confidence in the integrity of the federal power and gave fresh hope to the young democracy.

340. Terri-
torial ex-
pansion;
acquisition
of Florida
— 1819

During the last trouble with Great Britain streams of emigrants had flowed over the Alleghany mountains into the western valleys, and some had even reached the Pacific coast, where they reënforced the claims to that coast resulting from the Boston merchant's visit in 1792 and the exploration of Lewis and Clark in 180

In the early part of Monroe's first term, the Indians, together with the robbers and outlaws who had long infested Spanish Florida, became very troublesome, and General Andrew Jackson not only drove them beyond the border, but pursued them into Spanish territory, and remained there unblushingly, thus giving rise to international controversy. But Spain had failed to restrain the Indians, and therefore, having failed to keep her treaty agreement, was amenable to reason; and by good diplomacy Jackson's movement of invasion was upheld by the United States government, and Spain was induced to enter into a new treaty (1819) by the terms of which she gave up her claim to Oregon and ceded Florida to the United States, while the United States surrendered to Spain all claims upon Texas, and paid in addition the sum of \$5,000,000.



JAMES MONROE

The duties on imports rapidly discharged the war debt of \$127,000,000, and left a surplus, which was applied to the building of public highways. On the Cumberland road, from Cumberland, Maryland, to Vandalia, Illinois, there was spent, first and last, \$200,000. Other great roads were built at public expense, and many more projected. By the end of Monroe's first term, not less than \$1,500,000 had been expended by the United States government upon the highways.

Fulton had launched the first successful steamboat on the Hudson in 1807; and few years passed before every river had its packets and steamers plying up and down, carrying the farmers' produce to market and bringing back manufactured goods in return.

The center of population was rapidly moving westward. New states were being admitted. Old states had created the

341. Internal improvements

Union. The new states were created by the Union, but were admitted upon terms of equality. The great new West brought with it its new relations and its new problems.

**342. The
National
Bank**

Congress had refused a new charter to the old national bank in 1811, but, since the country had now outgrown much of its fear of a central government, a new national bank was chartered (1816) for twenty years with a capital of \$35,000,000. "Its capital was more than three times that of Hamilton's bank, and it was as fully endowed with authority. While it was more national, it was more democratic; five of its directors were appointed by the president, and both Congress and the secretary of the treasury were more directly connected with this than the former. . . . In 1811, Henry Clay opposed the bank in an elaborate argument based on strict construction and true to the ancient ideals of his party; in 1816, he was just as enthusiastic for the bank, and his argument would have done credit to Hamilton."¹

**343. Jurists
and deci-
sions affect
nationality**

John Marshall was the first great chief justice (1801-1835). He was the first to decide that all cases that involve the Constitution of the United States are appealable to the federal courts. He declared unconstitutional a Maryland law that levied a tax on a branch of the national bank (1819), upholding the constitutionality of such an institution on the ground that it was necessary for the proper handling of the national finances. The Supreme Court, in the same year, sustained the trustees of Dartmouth College in a case in which the legislature had attempted to change the charter without the consent of the trustees, on the ground that a legislature may not pass a law invalidating a contract. It also annulled a New York law which gave R. R. Livingston and Robert Fulton a monopoly of steamboat transportation in and around New York harbor, because Congress alone may regulate commerce between the states. These early decisions of the Supreme Court greatly influenced the development of the feeling that there is force and dignity in the institution that men call the Union.

¹ Mace, *Method in History*, pp. 185-186.

In 1815 the *North American Review* began its work, the first periodical to show the higher forms of American thinking and to receive national attention. William Cullen Bryant wrote "Thanatopsis" and James Fenimore Cooper began to weave strands of Indian life and individual experiences of the Revolutionary war into stories that never fail to charm the youth of the country; Washington Irving enshrined in art the ludicrous and the serious in the history and traditions of the early Dutch governors of New York and made the history of New York entertaining to the English-speaking world. Since these beginnings of a literature truly national and distinctively American, the movement has increased beyond all note or measure.

While American commerce was suffering injury in the times of Jefferson and Madison, much capital was withdrawn from the shipping interests and invested in manufacturing enterprises. Of course the factories had all the American market to themselves while the wars were going on; but after the treaty of Ghent was signed, and all ports were opened, the American markets were soon glutted with foreign goods, to the great embarrassment of "infant industries." To nourish the children until they could get upon their feet, it was thought best to protect them by a tariff on foreign goods, which could be removed at the will of Congress. Accordingly, in 1816, those who had induced the country to go to war brought forward a protective tariff measure and, with the help of a Republican president, enacted it into law.

The South and West had brought on the war, and the condition of war had been responsible for the springing up of the factories, so the South and West were willing to prevent the destruction of the new enterprises through competition. When the tariff of 1816 failed to give as great protection as was desired, efforts were renewed to raise it. In 1820 the Senate defeated, by one vote, a new measure. But, in 1824, a bill was passed which slightly raised the duties and added raw materials to the list. This measure was fought bitterly by Daniel Webster, representing a New England shipping constituency, and was

344. The
national
literature

345. The
protective
tariff —
1816-1824;
Monroe's
second elec-
tion — 1824

championed by Henry Clay of Kentucky, whose people had a surplus of raw material.¹ The tariff was destined to become one of the most serious questions of all in the country's history. It even served to test the devotion to the Union of that great epoch-making Democrat who became president in 1829. Although he had been elected by the party of state rights and strict construction, he nevertheless threatened to coerce a state which had enacted a nullification ordinance.

In the meantime, Monroe had gone through a second election without an opponent. Several issues had arisen during his first administration, but no new party had been formed, while the Federalists were forever dead. Only one vote was cast against Monroe, and that to preserve for Washington the exclusive honor of having been chosen president by a unanimous vote. What better evidence could be found that "the lion and the lamb had lain down together"? or that democracy and nationality were blended, and that centralized power and democracy are entirely compatible when each understands and properly estimates the other?

346. Mon-
roe Doctrine
— 1823

But the climax of the nationalizing process under a Republican administration, came in connection with certain conditions in South America. The Spanish colonies there were not slow to seize the opportunity offered by the temporary subjection of the mother country to Napoleon; and in 1810, Venezuela, Colombia, Argentina, and Chile, in rapid succession, revolted, and in each case the revolution succeeded and an independent republic was the result. Mexico had more recently begun her revolution, and the great monarchies of Europe, not yet recovered from the consequences of Napoleon's domination, feared that the infectious spirit of republicanism would not confine itself to America. Austria, France, Prussia, and Russia agreed upon what was called a Holy Alliance, having for its purpose the perpetuation of monarchical government and the maintenance upon their thrones of the interrelated royal families con-

¹ The parties and the sections have changed sides on the tariff as time and circumstances have changed.

cerned. Russia had issued a decree forbidding the ships of any other nation to approach within one hundred miles of the west coast of what is now Alaska, upon which country, later called Russian America, she had a valid claim; she might extend this claim to include the west coast indefinitely if she could feel her power sufficient. Let the monarchies of Europe have a controlling voice in the political affairs of America and there would be no safety anywhere from oppression. To call in question the title of the United States to Florida and to Louisiana would be for Spain and France, combined, a small thing to do, especially under an arrangement that would give Mexico to France. Washington and Jefferson had consistently proclaimed in effect that the United States had neither the right nor the reason for interfering between the nations of the Old World. Monroe proclaimed in effect that the governments of the Old World had neither right nor reason to interfere in America. In other words, Monroe, in a message to Congress, maintained, first, that the American continent should no longer be considered territory for European colonization, and secondly, that any effort to coerce the newly established governments of this continent would be regarded as proof of an unfriendly disposition toward the United States. The policy had the approval of Madison and Jefferson, and it was, at the time, greatly pleasing to England.

It is not difficult to see that the promulgation of this doctrine was significant in two directions. It pointed back to the fact that the United States had recently become conscious of its independent position among the powers of the world. The country was not only willing to keep out of "entangling alliances with foreign nations," as Washington in his farewell address had declared it must do, but meant to see to it that foreign nations should keep out of entangling alliances on the American side of the Atlantic. It felt strong enough to take positive ground with respect to all matters of vital interest, even though such position might contravene the interests of the powerful nations of Europe. But the Monroe Doctrine did

347. Significance of the Monroe Doctrine

more than point backward: it pointed forward with equal significance. It meant that hereafter the United States of America would uphold, by force of arms if necessary, the principles of free government throughout the western hemisphere. To be sure, the proposed opposition to despotic government in South and Central America was based on political interest, which, however, in the last analysis, is coincident with the interests of mankind. It is one of the characteristics of free government that its ideals keep sufficiently ahead to beckon it constantly forward. Nothing short of internal dissension could now prevent the new nationalism from going straight forward in its progress toward that ideal condition in which government and the governed are in perfect harmony.

SUMMARY

The Republican party came into control of the government after twelve years of federal administration and with the distinct idea that "that government is best which governs least." They were expected, therefore, to follow a very strict construction of the Constitution, leaving all powers and prerogatives not expressly conferred upon the federal authority by the fundamental law to the states and to the people. Men, however, are subordinate to principles. It has often happened in the history of the world that the greatest of men have been used, contrary to their will, by compelling forces in human society and have been made to follow courses just the opposite of their own convictions. Always, too, these forces are in the end constructive in character. It was, therefore, a wise stroke of fortune that made Thomas Jefferson, the highest exponent of democracy the world has ever known, responsible for the exercise of federal power. Under such circumstances but one result could follow: the central government must grow in power, because the perpetuity of a democratic nationality demanded power, and because conditions were at work to make the government grow; yet the central government must also be made to serve the whole people and those in authority must recognize both the rights and the capacity of common men. In other words, if the government was to endure it must have power enough to deal effectively with all questions that concern the whole people, but it must use the power with due regard for the whole people.

Jefferson's administration inaugurated a process which went a long way toward bringing about just such a condition. The purchase of Louisiana, the trouble with the Mohammedan pirates of Tripoli, the war with Great Britain commonly known as the war of 1812, the successful operation of a steamboat

— all these and many other incidents were so many factors in enlarging the field of action for the federal government; yet at the same time they set in motion new forces that helped to destroy the aristocratic idea of the federal party and to infuse fresh vigor into the democratic Republicans. The result has been appropriately called a democratized nationality. The spirit of this new product manifested itself in the reestablishment (1816) of the National Bank on a more democratic basis, the extension of the protective idea to the products of the democratic West, the making of internal improvements, the admission of several democratic states, the general feeling of good will that sprang up from Massachusetts to Georgia, and, finally, the proclamation of the Monroe Doctrine. This process of making the central government an effective agent of the popular will was disturbed only by the rise of sectional interests which began to make themselves felt in spite of constructive democracy.

REVIEW QUESTIONS

1. Was Jefferson consistent in removing the "midnight judges"? 2. Knowing Jefferson's political faith, would you expect him to attempt to redeem the national debt? Why? How did he do it? 3. What effect did the war with the Barbary powers have upon the idea of nationality? 4. Give three reasons for the special importance of the Louisiana Purchase. Explain each. 5. By what right did Jefferson acquire this territory? 6. Why is the war of 1812 sometimes called our "Second War of Independence"? What was the cause of this war? 7. The Republicans had opposed Hamilton's bank on the ground that it was unconstitutional and tended to centralize power. In 1811 a Republican secretary of the treasury recommended its re-charter and the measure failed by only one vote. In 1816 a Republican president and Congress reestablished the bank by an overwhelming vote. What does this show as to the growth of the idea of nationality? 8. How do you account for the Federalist opposition to the annexation of Louisiana and to the war of 1812? 9. What special significance do you find in the failure of Aaron Burr's expedition in the Southwest? 10. What battle in the war of 1812 would doubtless have been averted if modern means of communication had been available? 11. Did New England believe in the right of secession at this time? Prove your answer. 12. Show that the Federalists had reversed their position on their cardinal doctrine by 1814. 13. Why was the tariff schedule revised in 1816? 14. What importance do you attach to the tour of the country by President Monroe? 15. What is meant by "the Era of Good Feeling"? 16. What was the relation of democracy and nationality in 1820?

CHAPTER XV

THE RISE OF SECTIONALISM

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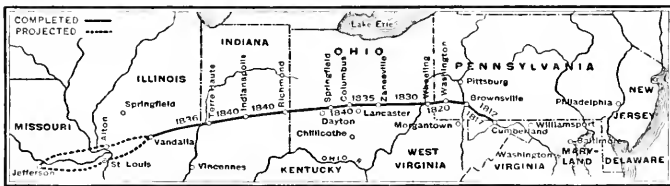
THE WEST

348. The trans-Alleghany region: its rapid development

We have already seen that the region west of the Alleghanies had its part in bringing on the War of 1812. It was destined to play a much more conspicuous part in matters of national interest in the not distant future. Its resources were limitless and as yet had not been touched. It abounded in wide and fertile valleys, rich prairies, and great forests. A thousand streams watered the region wherein the agricultural resources were seconded by tempting opportunities for grazing and stock-raising; and mighty rivers were ways for cheap transportation of surplus products. Coal, iron, and lead lay beneath the surface in vast quantities, awaiting only the pick and shovel to yield their treasures of wealth.

One of the characteristics of the well-developed American is his love of land — not the speculative land lust, but the love of it as his home. He has pushed west whenever his elbows touched his neighbor's. This natural tendency coupled with the distresses of the older communities (324) brought about, in the second decade of the nineteenth century, an unusual migration to the land of promise beyond the Alleghanies. Already

the Anglo-Saxon's instinct for government had set up, in this region, the states of Kentucky in 1792, Tennessee in 1796, and Ohio, the first daughter of the Northwest Territory, in 1803; and then followed Louisiana, born in a storm in 1812. The troubles with England and France on the high seas made conditions of living much harder than formerly in the United States, and particularly in the New England and Middle states. In the stir that always accompanies "hard times," many now sought refuge in the fertile West, where the government was selling lands at two dollars an acre on long time and at low interest. Dangers from the Indians had been greatly reduced by the efficient services of General William Henry Harrison at Tippecanoe creek (1811), and later by General Andrew Jackson



ROUTE OF THE NATIONAL ROAD

in Florida. In 1811, steamboats began to go up and down the Ohio river. Moreover, the government had given encouragement to road building by providing, in the Ohio admission act, that from the proceeds of the sales of public lands in that state, five per cent should be expended toward the construction of public highways. As early as 1806, definite steps were taken having in view the building of the Cumberland Road from Maryland to the Ohio river. These measures gave hope to those interested in the West that governmental encouragement would not be withheld from this region and that the obstacles to comfortable living there would be gradually removed. During the War of 1812, and immediately following it, the highways were kept alive by the trains of covered wagons, never out of sight, going West. The population of some of the states in this region doubled, trebled, and quadrupled in a decade.

The trackless forests saw the rise of thrifty villages, while villages became cities. Prairies were converted into farm lands and houses were built of native timber. The invention of the cotton gin in 1794 and the industrial revolution that was going on throughout Europe, and particularly in England, at this time greatly increased the demand for cotton and led to the rapid occupation of the Southwest. Commerce floated down the Mississippi, exchanging the surplus corn and bacon of the Northwest for the cotton and tobacco of the Southwest.

349. New States; their influence upon the Union

A number of new states knocked for admission in rapid succession: Indiana in 1816, and Illinois in 1818, settled by people who had followed the roads up the Hudson and Mohawk valleys, and down the Ohio and along the lake shores; or by those of the Middle states, who followed the old road that Washington made to Fort Duquesne, then down the rivers to St. Louis and intermediate points. Mississippi came in in 1817, and Alabama in 1819, organized, for the most part, by the planters from the Carolinas and Virginia.

Such physical and material expansion as this must inevitably manifest itself in the growth of national institutions. The nation could not ignore such vigorous and spontaneous development, slow as were her leaders to acknowledge the merits of Western statesmen. This new region, vast, virile, and resourceful, must find its appropriate place in the economic, political, and social life of the nation or be forever separated from it. The adjustment of these relations furnished fuel for a fire that put the American government to the severest test of its life — the Civil War.

SLAVERY

350. Missouri and slavery

The first serious friction came when Missouri knocked for admission as a state. Her soil and climate had attracted settlers from Kentucky and Tennessee, who had moved into the new country with their slaves. Of course the Missourians were expecting to be granted a state government, and were also expecting their institutions to be preserved by the central government, as in the recent cases of Mississippi and Alabama,

as well as when Kentucky, Tennessee, and Louisiana had become members of the Union. But Congress had become sensitive to the slavery question; years of petitions, committee reports, and debates had brought at length the beginning of an epoch; and the North had a majority in the House; for the first time the question appeared in national politics.

From the time when the first shipment reached Jamestown, slaves had been openly imported into the United States until the year 1807, when Congress passed an act directly prohibiting the foreign slave trade.

This act was not enforced.

North, as well as South —

and the North mainly, be-

cause the South was too busy

agriculturally — had invested in

the traffic which transported

slaves from Africa and else-

where, and continued to sell

them in all the states from Mas-

sachusetts to Georgia. Under

the climatic influences, and in

the economic conditions exist-

ing in the various parts of the United States, the slaves drifted

to the South through laws as inexorable as that of gravity;

and Eli Whitney's cotton gin (1794) fastened the negro upon the

Southern plantations for all time, or at least until the world's

demand for Southern cotton shall be diminished through inven-

tion or discovery. The slaves proved profitable as laborers,

and made the South rich. From Maryland southward, the soil,

climate, and elemental industries were such as to attract negro

labor; in that climate he was at home, and the plantation labor

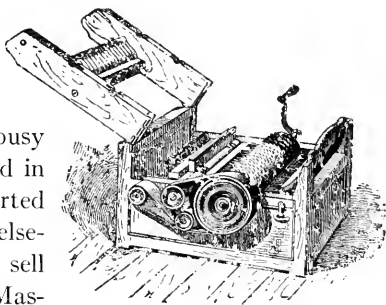
on a large scale required less of intelligence and skill than did

factory, or farm, or garden. In the North, however, the slave-

market was soon satisfied; there, the climate proved too rigor-

ous and the industries too exacting for the African negro

whose forefathers for thousands of years had remained unde-



WHITNEY'S COTTON GIN

After the original model

veloped beneath a tropical sun; so the Northern people got rid of their unprofitable negro laborers; and then, with consciences no longer bridled, began to agitate for compulsory emancipation. The only difference, therefore, between the North and the South in these early days seems to have been purely a matter of economic divergence. If the people of the North had been



PICKING COTTON

placed under the climatic and other geographic conditions of the South, slavery would have flourished with them just as it did with Southern people. In other words, if natural conditions of soil, climate, etc., had been reversed, the attitude of the two sections toward slavery as an economic institution would likewise have been reversed.

351. The
Union to be
tested

It was fortunate that since the days of Jefferson's first administration, the government had been in the hands of men who guarded the country against the dangers of centralization. Only inch by inch had Jefferson, Madison, and Monroe given way to the unalterable demands of a strong government. Their work and their influence had been sorely needed for the preservation of the balanced powers of state and nation, so that the government was enabled to pass through the coming period of strife, retaining its strength, without too greatly oppressing the

states. The tariff question was now a sufficient and an increasing menace to the further development of the cementing tendency, and slavery had appeared (1818) for the first time as a disturbing national question, almost exactly two centuries after its introduction into Virginia. It was like a smoldering fire during the Jacksonian period, in which the strength of the Union was tested and proved, yet it in reality increased as a disturbing force until its climax was reached in the Civil War, 1861-1865.

In 1818 the Territory of Missouri, which was included in the Louisiana Purchase, sought admission to the Union as a slave state. Such had been the admission of states as free and slave, to this date, that the strength of each group in the Senate was equal to that of the other; and the North and East saw that to admit Missouri as a slave state would destroy the equipoise of the sections and cast the balance in favor of the South and its peculiar institution; and they objected. A fierce debate, degenerating into abuse and vituperation, ensued. Thomas Jefferson, then old, and living quietly at Monticello, wrote of this fierce debate: "This momentous question, like a fire bell in the night, awakened me, and filled me with horror. I considered it at once the knell of the Union." The North further felt that since Missouri for the most part bordered the free state of Illinois on the east, the South was breaking a precedent in going north of Mason and Dixon's line, which, however, did not extend west of the Mississippi. The South, on the other hand, saw that there was no possible chance for the admission of more than two additional slave states — Arkansas and Florida, while a large unorganized territory remained from which to carve free states.

The bill to admit Missouri as a state into the Union was submitted February 13, 1819. The question of slaves or no slaves produced so much debate that the bill went over to the next Congress. In the meantime, many Northern states passed resolutions against the admission of Missouri with slavery, notably the legislatures of New York, New Jersey, Ohio, and

352. Dis-
cord con-
cerning Mis-
souri; Maine
as a counter-
poise

Delaware. The Territory of Missouri had suddenly attained great importance, due to the contest in Congress for advantage on the part of the two sections, and the fact that this was the first state, after Louisiana, to be created out of the Louisiana Purchase. To offset the danger threatened from the South, the North offered Maine for state honors; she could be cut out of Massachusetts, where she had belonged since 1677, and her two senators would balance those of Missouri.

353.
Thomas's
substitute
bill, or the
"Missouri
Com-
promise"
— 1820

The Missouri bill was now amended by the House so as to prohibit slavery in that state. When the measure went to the Senate, it was combined with the Maine bill under the leadership of Henry Clay. Senator Thomas of Illinois now brought forward a substitute for the House amendment according to which Missouri should be admitted as a slave state, but all other states carved out of the Louisiana Purchase and lying north of 36° 30' should be free. The House accepted this substitute after heated debate, and Maine, having her constitution in readiness, became a state immediately (1820), while Missouri was put to work on a slaveholding constitution. When the new constitution was submitted, members of Congress objected to it on the ground that it forbade the immigration of free negroes. Through the diplomacy of Henry Clay, Missouri was induced to agree that no law should be made in any way abridging the rights of citizens of other states, whereupon she was admitted into the Union in August, 1821.

354. The
South
maintains
the Consti-
tution; the
North shifts
the attack to
an ethical
ground

The agitation of the slavery question became at this time not only a strong decentralizing force, but even a disorganizing force, such as would have destroyed the Union probably, had it not been for the steps taken by Jefferson and Madison to make the Union justly indissoluble by making it as strong for the rights of the individual state as for the delegated powers of the federation of states. It shook the very foundations of the government, because it involved immediately the fundamental law of the land. It was simply the question of strict or loose construction of the Constitution over again and in a new form, or rather as applied to a new question. Did Congress have the right to

prescribe the terms upon which new states should be admitted? If she could admit states she certainly could reject states for cause, argued the North, though there be no express grant of such power in the Constitution. Moreover, the admission of the states from the Northwest territory, which were required by the Ordinance of 1787 to adopt anti-slavery constitutions, was cited as evidence that Congress had such a right and had hitherto acted upon it. But, argued the South, it was clearly understood by the states that adopted the Constitution that they surrendered none of their sovereign rights by so doing, and that when Congress attempted to dictate to a state a part of its fundamental law it was itself violating that very law; that such action would be a usurpation of power and would lead to a tyranny on the part of the federal government that was wholly incompatible with the rights of the state governments and subversive of the spirit which inaugurated the Constitution. Clearly the South was legally and constitutionally right; and when men find their own interests plainly justified and protected by fundamental law it requires more than ordinary force to dislodge them. On the other hand, the North, realizing its defenceless position from a standpoint of law, began to lay emphasis upon the moral aspect of the institution of slavery. She began to see in human bondage a clear and iniquitous violation of moral law, which, her people asserted, is the highest law of the land. They submitted that slavery enervates society and perpetuates the worst form of cruelty toward a helpless victim; that it cultivates a tyrannous disposition in the slaveholder and is contrary to the principles of free government, and hence to the Declaration of Independence itself. Gradually the issue shifted from economic and political grounds to practical and moral grounds, the pulpit and the press taking up the contest, which ever grew more bitter.

The West, therefore, having done its part toward cementing the Union, was now incidentally doing much to increase sectional animosity. From this time forward the fires of sectional hatred did not cease to burn for more than a half century.

THE NEW SCHOOL OF STATESMEN

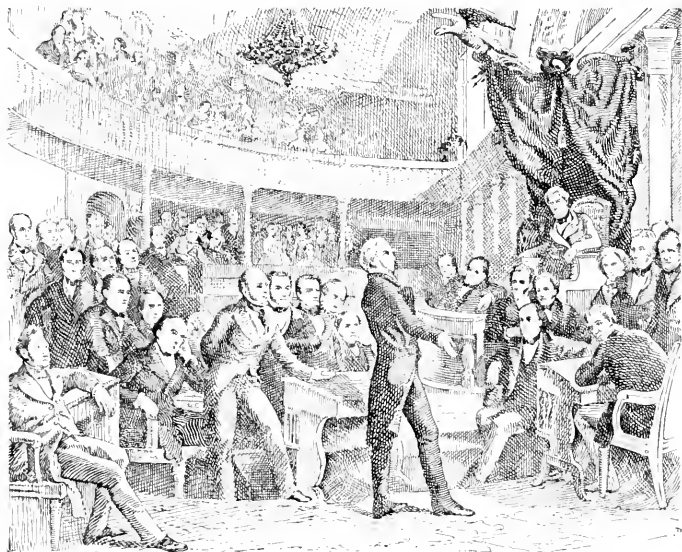
355. The
West and
the Sections

Along with the rapid development of the West and the entrance into politics of the slavery question, there came a new school of statesmen. The Revolutionary patriots and the fathers of the republic were gradually passing off the stage of action, and the new leaders who took their places came more directly from the people. As a common patriotism had developed, as the people had felt more and more the strength of the federal arm, as their commercial interests had been unified, as their sense of dependence upon each other had grown, as questions of public concern had been agitated from one end of the country to the other; in a word, as the spirit of nationality became strong, freer participation in public affairs was inevitable. Interest in a question and knowledge of it carry as a corollary participation in its solution. But, that the new generation of statesmen was democratic, and represented a higher national consciousness than its predecessors, did not prevent them from being also sectional. For example, New England felt itself closely bound together by interests peculiar to itself, and which placed it apart as a section of the larger whole. The South was conscious that its resources, its industries, and even some of its institutions were not common to the entire nation. The West, young, virile, and free, knew its unlikeness to any other part of the Union, and felt that its peculiar interests needed the recognition of the whole country. These conditions, however, reflected themselves more plainly in the presidential election of 1824, and rendered the Adams administration very unpopular. A line of succession threatened to become fixed in the elevation of the secretary of state to the chair of the executive. Jefferson, Madison, and Monroe had been at the head of the state department, and though Jefferson had not succeeded Washington directly, he had been a candidate to succeed him, and had been elected vice-president.

356. The
candidates
in 1824

Although there was but one party — the Federal Republican — there were four strong candidates for the presidency.

1. John Quincy Adams of Massachusetts, Monroe's secretary of state. The son of the second president of the United States, Mr. Adams was a statesman of great ability, wide experience, and extraordinary scholarship. More than any of the other candidates, he represented the old Federalists and the aristocracy. He was very popular in New England.



HENRY CLAY ADDRESSING THE SENATE

After the painting by Rothermell

2. Henry Clay of Kentucky, speaker of the House of Representatives. Mr. Clay was one of the greatest political orators of his day, and it is doubted that any succeeding time has produced his equal. He was a Virginian by birth, and he was a magnetic candidate, with hosts of friends and admirers everywhere. In him were embodied the vigor, the resourcefulness, and strength of the great West from which he came, as well as the polish and political training of the East.

3. William H. Crawford of Georgia, secretary of the treasury. Mr. Crawford was the nominee of the Congressional caucus,

and was one of the ablest men of his day. His candidacy was practically interrupted by ill health.

4. Andrew Jackson, United States senator from Tennessee. Jackson represented the new democracy, now beginning to feel its power. Like the frontiersman that he was, he relied upon his own native strength for success.

357. New
ways of
nominating
and of cam-
paigning

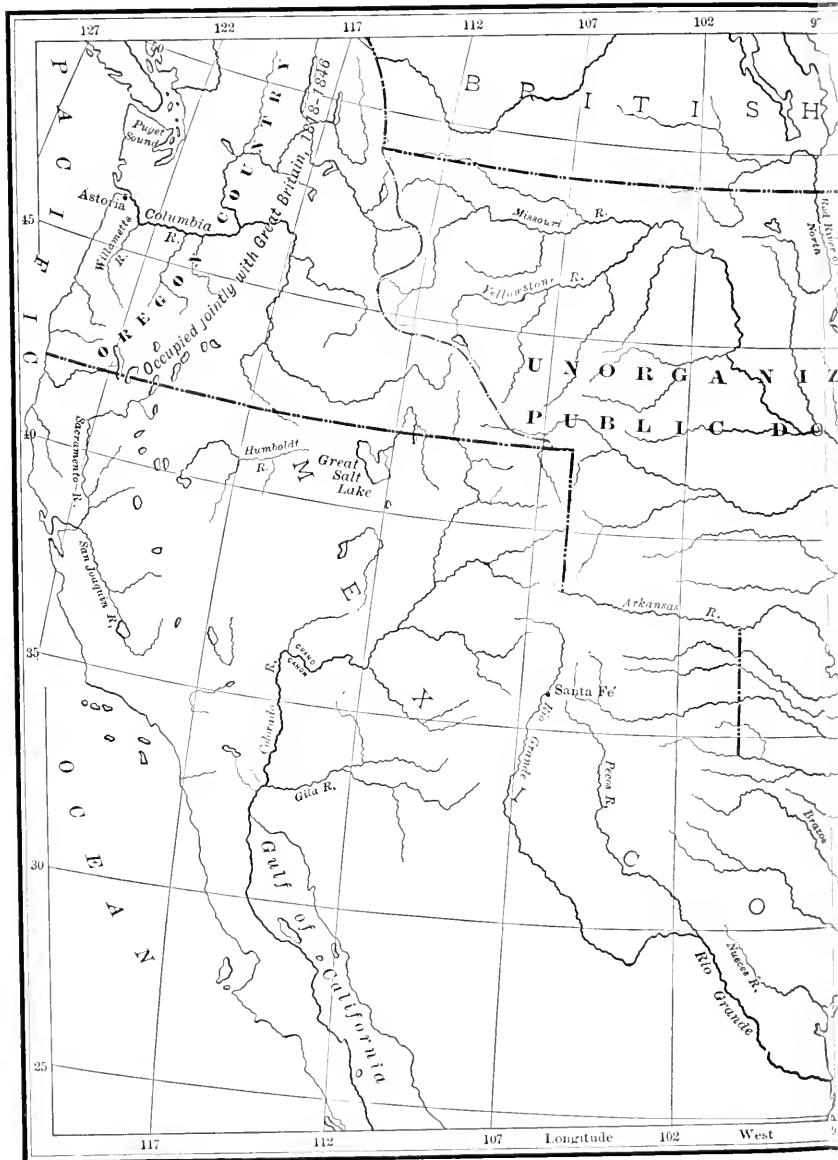
The campaign was significant. In the first place, all of the candidates except Crawford had been nominated in an irregular way. Party leaders had usually picked their man without consulting the people — an essentially oligarchic method. But so interested were the various sections of the country in their own local leaders and in giving direction to national policies, so intensely conscious of an identity of community interests, that the old caucus method of making nominations was no longer acceptable to the plain people. They accordingly resorted to mass meetings and endorsements by state legislatures. The fact that Clay, Adams, and Jackson were all nominated in this way is evidence of the rising tide of democracy, and is prophetic of the approaching days of bitter sectionalization. In the second place, the methods of the campaign were entirely out of the ordinary. Previously it had been beneath the dignity of presidential candidates to go about over the country asking for votes. In this campaign stump speeches, parades, topical songs, and all forms of popular demonstrations were used in behalf of the various candidates, more particularly in the interest of the “hero of New Orleans.” Passion ran high. Thousands of people became interested in public questions who had thus far been indifferent to such matters. Appeals were made by candidates and their friends to sectional interests. The soil was being prepared for civil discord.

358. A
majority
lacking; the
House elects
Adams —
1825

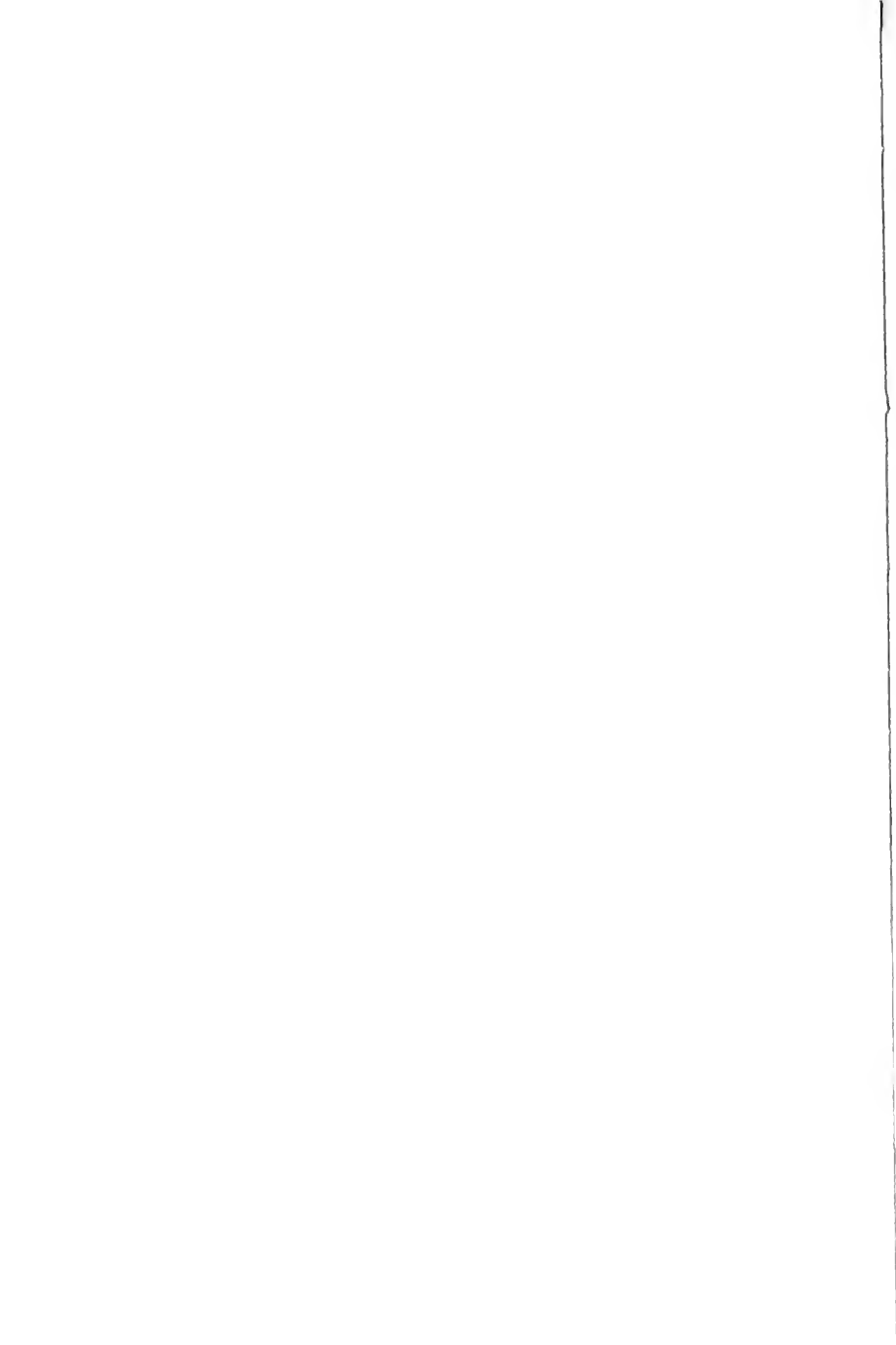
In the electoral college, Jackson received 99 votes, Adams 84, Crawford 41, and Clay 37.

John C. Calhoun had received a large majority of the votes for the vice-presidency, and was declared elected.

No candidate for the presidency having a majority, the election again (308) devolved upon the House of Representatives,



R. D. Servoss, Eng'r., N. Y.



which, under the Constitution, voting by states, must choose "from the persons having the highest numbers not exceeding three on the list." Clay, thus eliminated as a candidate, gave his strength to Adams, who was elected, receiving the vote of thirteen of the twenty-four states. Perhaps Mr. Clay had made Mr. Adams president; and when Mr. Adams appointed Mr. Clay secretary of state, the charge was made that a bargain had been struck.

Jackson's friends argued that their candidate should have been elected by the House of Representatives, because he had received the largest popular vote; and cried out that he had been robbed of his right. They declared war on Adams and on Clay, and immediately began active work for their candidate's success in 1828, taking time by the forelock in a campaign for the presidency.



JOHN QUINCY ADAMS

From the standpoint of experience John Quincy Adams was one of the best equipped men who ever sat in the White House. Scholarly, able, energetic, and conscientious, he was also well trained in the school of politics. He had been senator from Massachusetts, minister to Russia, peace commissioner at Ghent, minister to England, and secretary of state. Son of a Federalist president, he was cold, haughty, and diffident toward others, but was nevertheless sincerely devoted to the best interests of his people, as he saw them. He had large ideas about the future of his country and wanted to expand to the Rio Grande, annex Canada, and absorb Cuba. But he was in trouble from the beginning. He was an ardent anti-slavery man, and was from a state that had now come to demand a high tariff. His technically righteous election remained clouded by suspicion of bargaining with Clay, and by the charge that he had shown

359. The sixth president; his difficult position

lack of magnanimity in not withdrawing when Jackson was declared the choice of the people. And Jackson's friends were many. Tennessee was now more populous than Massachusetts, and Jackson, whom both of the jealous Carolinas claimed, was without a rival in the affections of the people in every Southern state, while North, East, and West, the number of his adherents must logically be increased by all who were opposed to the administration. It is hardly too much to say that Jackson's defeat made him doubly strong for the work he was ordained to do in the future; and that Adams's victory sapped much of his strength when, in after years, he sat in the lower house of Congress and represented Massachusetts.

360. The Clay "investigation;" the Panama Conference

Congress convened on December 5, 1825. There were angry controversies. Mr. McDuffie, of South Carolina, in the House, adversely criticised Mr. Clay for the part he had taken in the presidential election. Excitement followed, and an investigation was ordered, in which Mr. Clay produced "a mass of testimony" which his friends thought ample to justify him.

Mexico, Peru, Chile, Colombia, and the Central American republics invited the United States to send representatives to a congress of American republics to be held at Panama in June, 1826. The purpose of the conference, suggested no doubt by the Monroe Doctrine, sought to cultivate among these powers a friendly understanding relative to European activities in the western hemisphere. The plan met with the hearty approval of the administration. But when the fact developed that the republic of Hayti also had been invited to participate, it caused a long debate in Congress in regard to the propriety of meeting on terms of quasi-political equality with negroes. The objection was urged chiefly by the South. The United States was not represented, though two delegates were appointed; one of them failed through sickness, and the other "was not able to serve." The incident illustrates well the influence that sectionalism was beginning to exert upon national policies.

The same anti-national force is seen about the same time in the Southeast. Georgia, in 1802-3, had surrendered to the

United States her claim to the territory west of her present boundary, for which the United States had agreed to pay the sum of \$1,250,000 and had engaged to extinguish "within a reasonable time" the Indian title to lands within the remainder of the state. In February, 1825, Commissioners Campbell and Merriwether, on the part of the United States, made a treaty with some of the Creeks, by which the United States partly fulfilled her obligations to Georgia in regard to the Indian lands. This treaty proved objectionable to others of the Creeks; the chief who had signed it was killed; and the dissatisfied Indians appealed to the government to repudiate the treaty; and although it had been ratified by the Senate, the government proceeded to make a new treaty early in 1826. But Governor Troup of Georgia refused to admit validity in the new treaty; he ordered the survey of the western line of Georgia according to the terms of the treaty of 1802, and of the Indian lands designated in the old treaty, the proper disposal of these lands having already been provided for by the legislature. The United States government now threatened the arrest of the surveyors; but when Governor Troup replied that he would meet force with force, the survey was no longer hindered. A peaceful solution of the whole affair was a third treaty by the terms of which the Creeks gave up all their lands in Georgia and removed beyond the Mississippi. Georgia had successfully defied national authority and had asserted that she was "sovereign on her own soil."

The era of good feeling was past; divisions were taking place; the followers of President Adams and Clay, his secretary of state, began to be known as National Republicans, while those of Jackson, Calhoun, and Crawford were called Democratic Republicans.

A high tariff act was defeated in the Senate only by the vote of Vice-President Calhoun in 1827. Soon afterward, the representatives of the protected industries met at Harrisburg, Pennsylvania, and advocated still higher duties and began a campaign to accomplish their purpose. The West combined

361. Georgia and the Creek Indians

362. Combining of sections; the "tariff of abominations"

with the North on the tariff measures for the purpose, it is said, of promoting the candidacy of Andrew Jackson for the presidency. At any rate, the West, the producer of raw material, combined with the North and East, the manufacturing sections, in the production of a tariff measure suitable to both. The bill provided for a tariff on wool and other raw materials, to protect the farmers of the West; on pig iron to protect



JOHN C. CALHOUN

the Middle states, and on manufactured articles to help the merchants and manufacturers. Hardly could any party to the movement expect it to carry, but it carried nevertheless, and received the president's signature on May 24, 1828.

This "Tariff of Abominations," as it was called, bore hardest on the South, which section produced most of the raw materials and

received the least benefit, for few of its productions were on the protected list. South Carolina led in opposition, with John C. Calhoun, her favorite son, issuing a full discussion of the matter in a folder called "Exposition and Protest." In this he took the old ground of Jefferson and Madison, as expressed in the Virginia and Kentucky Resolutions, contending that the United States had the right to levy taxes to maintain the government, but not to protect industries. He summarized and restated much of the argument that had been used by the political philosophers from all sections when statesmen from the respective sections had felt themselves aggrieved. He asserted, as New England had done in 1814, that a state was its own judge, and could properly dissolve the compact with other states when its rights had been invaded. In South Carolina and other states of the South meetings were held, resolutions

were passed, and great orators were heard denouncing the "Tariff of Abominations." The condition continued long into the next administration, and with the marked peculiarity that the slavery question did not enter into the discussions, except perhaps incidentally. The federal compact was of such uncertain strength that any section whenever aggrieved or injured in this or that interest, threatened to break the compact, and few seemed to regard secession an unjustifiable remedy for an extreme evil.

In the meantime, the ambition of Andrew Jackson had been satisfied, and thus a Democrat of a new and extreme type, a Southern slave-owner and a man of the people, had been elected. **363. Jackson elected — 1828** It was decided to wait to see what he would do. There was hope that the South, which paid a large per cent of the import duties of the entire country, but elected only a third of its representatives in Congress, would receive fairer consideration at the hands of the federal government.

SUMMARY

The rapid development of the West emphasized the idea of nationality, but also it brought forward such new forces as promoted for the time the process of sectionalization. It was one thing to annex territory and another to organize states upon terms agreeable to all concerned. Respect for the federal power had grown for more than a quarter of a century, and with it the development of an intelligent patriotism, but the absence of quick and efficient means of transportation and communication permitted the rise of sectionalism. Men gauged national questions by the things they saw immediately around them. Their horizon was no wider than the interests which were peculiar to the section in which they lived. When men from other parts of the country could not agree with them, passions arose. Discord took the place of harmony and bitterness entered into the settlement of all public questions.

The admission of Missouri had brought forth a contest that revealed the divergent interests of the different sections and gave emphasis to the slavery divergence. Once more, too, it aroused the old question of state rights and the whole problem of constitutional interpretation. Moreover, it attracted the attention of a much larger per cent of the people than had hitherto been interested in public matters, because it had to do with a problem that lay close to the daily interest of all the people. The election

of 1824 reflected these conditions and introduced a new factor into national politics — the common man. New England was successful in this election, through a combination between her candidate and another whose national ideals were acceptable to her. The new administration was constantly obstructed by sectional interests and came to a close in the midst of a storm which had been brought about by attempting to make laws in the interest of certain sections of the country. In passing the "Tariff of Abominations" members of Congress lost sight of national interests and committed themselves to the pernicious practice of settling matters of national concern in accordance with the proclivities of a local constituency.

REVIEW QUESTIONS

1. What were some of the conditions that retarded the development of the West before the war of 1812?
2. What effect did the invention of the steamboat have upon Western development?
3. Why did not the slavery question become an issue when Alabama was admitted to the Union? Illustrate.
4. What had been the policy of the national government with reference to the admission of states before 1820?
5. What was Missouri's attitude toward slavery?
6. How was the question of state rights involved in the Missouri controversy?
7. Why did the South adhere to the doctrine of "strict construction"?
8. Was the attitude of New England toward the federal power the same now as in 1812? Why?
9. If railroads and telephones had been common in 1800 would the process of nationalization have been interrupted by sectional interests? Why?
10. In what sense was the election of 1824 an indication of a more thorough democracy? How did it bring out sectional differences?
11. What reasons can you give for the failure of Adams to be reelected?
12. What significance do you find in the Panama congress affair?
13. Was the "tariff of abominations" a protective tariff?
14. Did it place a duty upon raw materials?
15. How does it reveal the rise of the sectional spirit?

CHAPTER XVI

THE PEOPLE AS PRESIDENT

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SOURCES. — MacDonald, *Select Documents*; Hart, *Contemporaries*, vol. iii; *Source Book*.

WESTERN DEMOCRACY IN PERSON

The administration of the government from Washington to Jackson had been kept in the hands of a few men. There had been an unbroken line of presidential succession handed down from one administration to the next. Part — a very great part — of Jackson's political capital consisted of the declared policy to break down government by secretaries and erect government by the people. And Adams had been a secretary, and his administration as president had not been successful. He could neither run the engine nor put on the brakes. He had disappointed many of his supporters in not vetoing the "Tariff of Abominations," and had gained no strength in approving it.

If ever there was a "typical" man, his name was Andrew Jackson. Nevertheless, or, better to say, therefore, he was strongly individual; inasmuch as he represented the West, he and the West were independent, unconventional, and unique; it had united its elemental forces with the spirit of a courageous man and had produced Andrew Jackson. The West was new, populous, and prosperous; it had its own ideas and its own purposes, some of them as yet unknown. The West had grown from a wilderness to be the home of more than two millions of

364. "Government by Secretaries"

365. Andrew Jackson of Tennessee

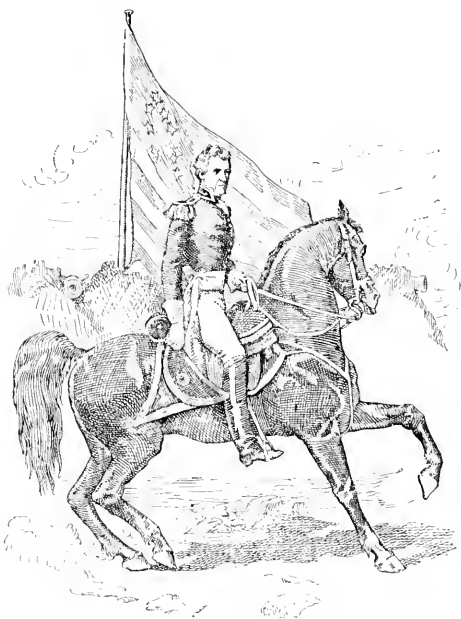
people, whose endurance of hardships had given them self-confidence, courage, and capacity. The theoretical questions of nationality and state sovereignty had not seriously taken hold of the minds of men in Tennessee. Jackson believed in local self-government of course, but also, of course, he had taken the power of the general government for granted — and if a government at all, one strong enough to maintain itself on every field. The powers at Washington had intimated, in 1819, their willingness for him to invade Spanish territory, and had sustained him in that delicate and dangerous enterprise. His state had come into the Union by the power of the general government. He might view the question of secession perpendicularly rather than from an angle.

366. The
candidate of
the demo-
cracy —
1828

Jackson's campaign for the presidency was the first of its kind in the history of the government. He was a hero at great gatherings in different sections. He carried New York by organization and good management, developing there his friend and associate, Van Buren. His supporters made the most of his war record, and of the fact that he had been defeated by Adams by means of a "foul bargain" between Adams and Clay. A small number of men had held the offices. The widening West, now beginning to feel her strength, put forth all that strength to help Jackson, her first military hero. The poor widow's boy, homeless, friendless, uneducated, ambitious to become an American soldier at fourteen, captured by the British at Hanging Rock, and refusing when a prisoner to black the British officer's boots, this boy had shown the possibilities of a man in the "Land of Opportunity," — the land of Democracy. Jefferson was a Democrat by thought and choice. Jackson was a Democrat by necessity and birth. He had only the point of view of the common man. But nature made him of granite and made him large. He was a chieftain descended from Scotch Highlanders. He knew little of the fine theories of government, and cared less. With a refreshing independence of Congress and courts he had magnified his military office to his own proportions. He was warmhearted, combative, self-

willed. What he wanted to do he moved straight onward to do that. Only a fair judge of men, he frequently missed the size of his associates and trusted or mistrusted the wrong man, and trusted himself when the judgment of others would have been better. The whole country has, perhaps, fashioned no stronger character, no better type of the self-taught American, than this rugged backwoodsman, who incidentally produced earthquakes and wrestled successfully with their fury.

When offices seek men, there need be no spoils, but when men seek offices, they must have help to win. Those men who spent their time and money to elect Jackson president,



GENERAL ANDREW JACKSON

367. "The spoils to the victor"

naturally expected to be remembered when he came into power, and they were not disappointed. It is estimated that for political reasons he removed during his first year ten times as many men as all other presidents had ever removed. Of more than six hundred appointees of the president he had removed more than a third, to say nothing of a much larger number of subordinates who went out along with their superiors. In modern times the spoils system is a logical necessity, resulting from the contests of political parties. Its evils are limited by the civil service laws.

368. The
South's hope
in Jackson

In the preceding chapter it has been pointed out that the "Tariff of Abominations," a political treason committed in the time of John Quincy Adams's administration, was the result of that kind of politics which places sectional interests above those of the nation; that it was the product of a combination between New England manufacturers and Western producers of raw material; that it raised the tariff rates, and brought a storm of protest from the South because she considered it detrimental to her industrial interests; that it had been opposed by Calhoun upon the ground that the Constitution, which gave to Congress the right to raise revenue, did not authorize the collection of a surplus through a system of taxation that took money out of the pockets of one section of the country to put into the pockets of another section; and finally that the South looked with hope for relief to the election of Andrew Jackson.

369 The
South's
disappoint-
ment

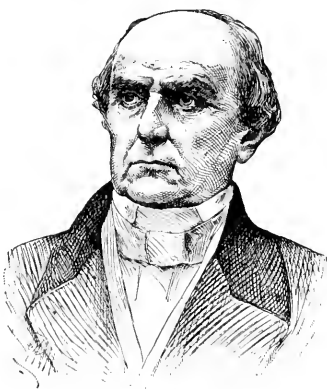
It was soon evident that the South had mistaken her man. In a message to Congress (December, 1830) he asserted the constitutional right of Congress to levy such a tax and agreed with Clay that it was also in keeping with a wise national policy. It would have been difficult at this time to add more inflammable material to the fire of sectional jealousy. The South was worse than disappointed; she was furious. She could not forget the issue of slavery which the Missouri question had precipitated and which had been growing more acute from day to day. She had watched with suspicion the change in the attitude of New England toward the tariff, for as late as 1824 Daniel Webster of Massachusetts had declared that "the general sense of this age sets, with a strong current, in favor of freedom of commercial intercourse, and unrestrained individual action"; while he was now upholding the most abominable tariff act in the history of his country because his section, under the protective system, was changing from a shipowning to an industrial district. Plainly, as it appeared to the South, there was a conscious effort to discriminate against her economic interests and her institutions.

With public sentiment in this condition, only a spark was

needed to set the whole country aflame again. When Senator Foote of Connecticut introduced a resolution (December, 1829) providing that the federal government should take all public lands off the market, there was an inevitable explosion of the anti-Eastern sentiment. The South and much of the West could see nothing in the measure but an attempt to injure them by checking the tide of immigration, keeping a surplus of labor in New England, and thus reducing the price of labor for the manufacturers, who were already becoming rich through an iniquitous, unconstitutional, and undemocratic tariff law. The discussion naturally shifted, therefore, from the Foote resolution as such, to the more fundamental question of the sphere of federal authority. Was such legislation constitutional? Did Congress have a right, under the Constitution, to enact a law that was sectional in its effects, or that gave one class of citizens the advantage over another? Were not these questions appropriate for the states, rather than for federal authority?

Senator Hayne of South Carolina took the ground that the Constitution is a compact, or an agreement binding a league of states, and that when the rights of a state are invaded or broken, the state has the right to withdraw from the Union. Webster took the ground that the states are one, that the Constitution made a nation, and that the parts must be subject to the whole, which cannot be broken. The debate contains perhaps the best summary of the arguments on this subject to be found. It is now agreed that, historically, Hayne was correct. But as a matter of expediency, or as to what might be best for the people of the whole country for all the future, Webster was prophetic. "The past was with Hayne; the

370. The
Foote Reso-
lution;
December,
1829; the
Hayne-
Webster
Debate —
1830



DANIEL WEBSTER

future was with Webster." Hayne's position was based upon the argument of Jefferson's Kentucky Resolutions and Madison's Virginia Resolutions, announced thirty years previously. Webster's position was not a new one, but was the masterly summary of all the arguments that had been presented from time to time in favor of the theory that "We the people" in the preamble of the Constitution destroyed state lines in so far as the Union was concerned, and fused the people into one indissoluble nation.

371. Jefferson's Birthday banquet
— 1830

On April 13, after the famous debate in January, 1830, Jefferson's birthday was celebrated with a great banquet. A rare program of toasts had been prepared, for the most part setting forth the position of the South on the questions at issue. When President Jackson was called upon he responded with "Our Federal Union — it must be preserved." It was hideously out of tune with all previous sentiments of that occasion, and provoked from Calhoun the virtual declaration of war, "Liberty dearer than Union." From this time forward the president and the vice-president were out of harmony, and when it became known to the president that in 1818 Calhoun had proposed that General Andrew Jackson should be censured for insubordination in the prosecution of the war against the Seminole Indians, there was at once an impassable breach between the two officials, and Calhoun resigned his office to become a senator from South Carolina. When the controversy was about to reach its climax, Hayne left the Senate to become governor of the same state. The battle was just over the hill.

372. Nullification in South Carolina
— 1832

Calhoun now issued "An address to the People of South Carolina," emphasizing again his doctrine as set forth in the "Exposition." His ceaseless attack upon the tariff policy, in addition to the admitted injustice of the "Tariff of Abominations," led Congress in 1832 to pass a new tariff law, which practically returned to the basis of 1824, though it retained the protective idea. Once more in American history, it was not the amount of the tax, but the principle involved that was objec-

tionable, and, giving voice to the opposition, Calhoun wrote a letter to the governor of South Carolina setting forth in vigorous and convincing terms the doctrine of state sovereignty. He supported the proposition that the central government was the agent of the sovereign states; that when the agent exceeded his authority his actions were "null and void"; that federal law was binding in a given state only because the people in such state had made it so; that the same power which *gave validity* to the federal law in a given state could certainly *nullify* such law. The South Carolina legislature issued a call for a state convention, and on November 24 this convention declared the tariff acts of 1828 and 1832 null and void, and forbade payment of duties on imports into the state after February 1, following. It further declared that should the federal government attempt to enforce the said laws such action would *ipso facto* sever the relation between the State of South Carolina and the Union.

President Jackson's attitude toward the whole affair had been previously made plain when he said to a member of Congress from South Carolina: "Please give my compliments to my friends in your state, and say to them that if a single drop of blood shall be shed there in opposition to the laws of the United States, I will hang the first man I can lay my hands on engaged in such treasonable conduct, upon the first tree I can reach." His reply, therefore, to the nullification proclamation was just such as would be expected: "The laws of the United States must be executed. I have no discretionary power on the subject — my duty is emphatically pronounced in the Constitution. Those who told you that you might peacefully prevent their execution deceived you. . . . Their object is disunion, and disunion by armed force is treason." Governor Hayne followed with a proclamation to his people urging them to be firm. Jackson now asked authority of Congress to enforce the law in South Carolina, and when Congress passed the "Force Bill" the president prepared to send troops into that state. It looked like war, when Senator Clay again came forward with a compromise, February 12, 1833. He proposed a gradual

373. Jackson's determination; Clay's compromise — 1833

return to the basis of the schedule of 1824, one tenth of the excess of the measure of 1832 to be removed biennially until 1840, when half of the remainder should be removed, and in 1842 the twenty per cent basis should be adopted. This measure passed easily, and, on March 11, upon the call of Governor Hayne, the convention reassembled and South Carolina revoked the nullification ordinance.

The result of the compromise was a postponement of the issue — not the issue as to the tariff, but the issue of state rights. South Carolina regarded herself as the victor, since the hateful laws had been repealed because of her protest. But the taxes had been collected while she was protesting, and the federal government had shown unmistakable evidence of an intention to counteract by force the principle of state sovereignty when applied to a national interest.

JACKSON'S FISCAL POLICY

374. Past
history of
the National
Bank; its re-
charter
— 1816

The tariff war was not the only question which occupied the public mind during "the reign of Andrew Jackson." The people's president wielded the scepter of federal power with as much vigor against the National Bank as he had exhibited in his contest with South Carolina on the tariff question and state rights. In a previous chapter it has been pointed out that one movement of Hamilton's policy of centralization was the establishment of a national bank; that he had found constitutional right for it in the doctrine of "implied powers"; that he was opposed by Jefferson on the grounds that the Constitution did not expressly grant such power and that the tendency was too much toward centralization; that after considering carefully the arguments of each, Washington followed the advice of Hamilton, and Congress chartered the institution (1791) for twenty years. We have further noticed that in 1811, when the Republicans were in power, and this country was about to go to war with Great Britain over impressments, Congress had refused by one vote to recharter the Hamilton bank, but in 1816, under the nationalizing influences of the War of 1812, a Republican

administration rechartered it with more than three times the capital of the former bank, which had been somewhat less directly connected with the federal government.

During the period of national expansion after the War of 1812, this bank shared in the general prosperity of the country and grew immensely rich. Branch banks were established in various sections and stockholders from Maine to Georgia shared in the marvelous profits and cherished toward it the friendliest feelings. It was now receiving millions of the people's money on deposit, besides taking care of the government's surplus, negotiating its loans, and enjoying a monopoly of the banking business so far as the federal government was concerned. It was lending vast sums of money and returning to its stockholders gratifying dividends from their investment. It had very nearly become what Hamilton had desired it to be — the nerve center of American business enterprise.

In addition to this bank, and in part no doubt because of its prosperity, numerous state banks had also come into existence. **375. The state banks** They were not state banks in the sense that they were under state supervision, but in the sense that they had received their authority to do business from state legislatures. Often such banks had been chartered for political reasons — either to pay a political debt or to promote party interests. Such banks were administered, therefore, in the same partisan way, and naturally enough many people came to suppose that all banking business was more or less tainted with graft. In the popular mind, especially in the West and South, politics and money were mutual friends. Jackson had been elected by the common people and naturally brought to the office of president a distrust of the integrity of the National Bank. Nor were grounds for distrust wanting. It was no secret that the bank as an organization often favored certain candidates and spent thousands of dollars to secure their election, not necessarily in a corrupt way, but spent it nevertheless. Then Clay and Adams and Webster had shown themselves friendly to the institution and many had come to suspect that perhaps money was giving too much

direction to government. At any rate, it was evident that a keener sense of interest in public affairs was being developed by the people, and the people now ruled the country.

376. Veto of the bill to renew the charter of the Bank — 1832

It was seven years from the time Jackson was inaugurated until the charter to the bank would expire, but that did not



HENRY CLAY

prevent his hoisting the danger signal. In his first message to Congress he declared: "Both the constitutionality and the expediency of the law creating this bank are well questioned by a large portion of our fellow-citizens; and it must be admitted by all that it has failed in the great end of establishing a uniform and sound currency." This low note

was continually repeated in succeeding messages, and in 1832 Nicholas Biddle, the president of the bank, upon the recommendation of Clay and Webster, asked that the charter be renewed. A bill passed both houses, but was vetoed by the president. In his veto message, Jackson maintained in substance that the bill was unconstitutional because the bank was not only not a necessary and proper instrument of the federal power, but was also expensive and un-American, contrary to democratic government and dangerous to a free people.

377. Jackson re-elected — 1832; Jackson and the deposits

Jackson had now been president for nearly four years, and Clay thought that in the bank there was good ground for a race. Nor was it very difficult for Jackson to hear the voice of the people demanding that he run again, despite his previous advocacy of single presidential terms with direct election. The result of the campaign was never in doubt. The electoral vote was 219 to 40; and now Jackson had his mandate from the people. The bank must go. In December after the election

he sent a message to Congress insinuating that the bank was unsafe and was not to be trusted with the government funds, recommending at the same time an investigation of its condition. It proved to be thoroughly sound, and both houses of Congress gave it a vote of confidence. But Jackson was not to be thwarted. The bank had taken active part in the presidential campaign that had just closed — and on Clay's side. This dickering in politics by the money interests was offensive to the democracy of the country, and for the government to charter an institution of this kind was undemocratic and dangerous to the people's safety.

The president remembered that the law gave to the secretary of the treasury the right to remove government deposits from the bank and inform Congress of his reasons. To deliver his meditated stroke required that a treasurer be found who could be used to carry out the president's wishes. The third appointment proved lucky, one having been promoted, and one dismissed, before the hour met the man in the person of Roger B. Taney, who was transferred from the attorney general's department. An order was now issued from the treasury department forbidding further deposits of federal money in the bank, and providing that existing funds should be drawn upon to meet current expenses of the government. Henceforth deposits were placed in state banks (frequently called "pet banks") scattered throughout the country.

The results were many and far-reaching. The bank was compelled to contract its business, a hard thing to do when we remember the burdens the institution had to carry at this time. Public confidence in it was further weakened and it lost the support, therefore, of many of its former friends. The country barely escaped financial disaster, and the bank adjusted its business as best it could and reorganized under a state charter. There were no more national banks for a quarter of a century, the necessities of the Civil War bringing into existence our present system.

The patronage of state banks by the national government

378. The Bank transformed into a state bank; wild speculation; election of Van Buren — 1836

greatly stimulated the state bank business. Hundreds of new state banks came into existence and enjoyed their share of the federal surplus which was now accumulating. Business conditions were good with all classes, and the outlook was so bright that the speculative spirit developed. The new banks, as well as the old, issued a flood of paper money based upon nothing but prospects. Everybody had credit and believed he was on the point of getting rich. Money was easy, real estate was advancing rapidly, and long risks were common. Even the national government placed large loans with the states, and the states, like individuals, involved themselves heavily in land and in transportation facilities. The United States government sold nearly \$25,000,000 worth of land in 1836 and received in payment large amounts of state bank paper. To stop the accumulation of this unsafe currency the president issued the specie circular, ordering that the United States treasury receive nothing but gold and silver in payment for the lands. The new banks had no gold and silver with which to redeem their currency, and speculators found specie hard to borrow. The bottom dropped out of the land business, public and private improvement ceased, factories were shut down, labor became scarce, banks "went broke," the cost of living went up, riots became common, foreign commerce fell off, and the national treasury suddenly found itself more than \$10,000,000 in debt.

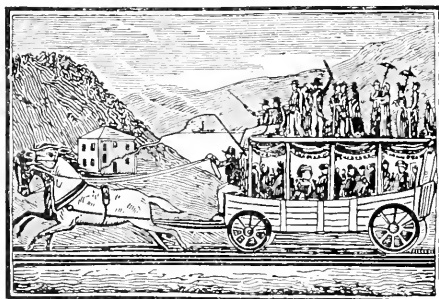
In the meantime, Jackson's second term had expired, and he had named his right hand man, Martin Van Buren, as his successor. The Whigs, a new party formed of the National Republicans (338) and others hostile to Jackson, scattered their votes among several candidates, and the Democrats won the election by 46 electoral and 25,000 popular majority. Van Buren undertook to relieve the financial situation by the establishment of sub-treasuries. Vaults were constructed in New York, Philadelphia, St. Louis, New Orleans, Boston, and Charleston as depositories for the government revenues, and the country settled down to a more conservative fiscal policy.

NATIONAL PROGRESS AND SECTIONAL INTERESTS

While the democratic president of the people was wielding the scepter of national power in a manner impossible for the Queen of Great Britain and Ireland and Empress of India, there were tremendous forces at work just beneath the surface that were destined to bring about revolutions no less fundamental than the great political questions we have just studied.

The material development which followed the war of 1812, and which so effectually contributed to the growth of nationality, went forward during the decade between 1830 and 1840 with remarkable rapidity, and, strangely enough, now became the chief factor in promoting, temporarily at least, the process of sectionalization. At the beginning of the decade there were twenty-three miles of railway in the United States; at the close

379. Fundamental processes; prosperity and danger

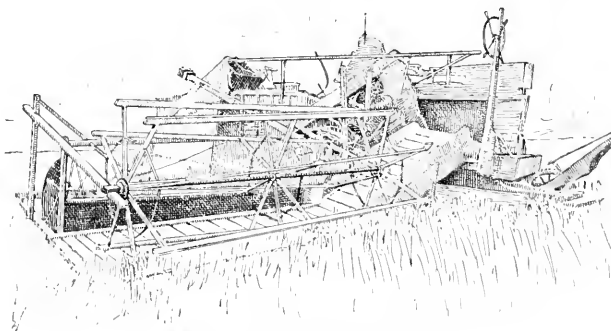


BALTIMORE AND OHIO RAILROAD, 1830

From an old print

there were nearly three thousand. The results were both instantaneous and perpetual. On the farm, in the factory, at the mart there was constant demand for labor. Farm products increased, the output of the factories doubled, traffic gained commensurately, wholesale centers developed, capital began to come together for undertaking business on a larger scale, population grew dense in industrial and commercial cities, where a large foreign element now began to make itself felt, and deeper shafts were sent into the earth to satisfy the increasing demand for fuel. Steam navigation was rapidly transforming the western waterways into channels of exchange, while a variety of mechanical improvements in the manufacture of

cotton cloth gave impetus to the development of the plantation system in the South, and the invention of the McCormick reaper in 1834 changed many a western prairie into a rich and profitable grain field. "The nation, hitherto singularly uniform in its conditions of life, exhibiting almost everywhere equal opportunities of success, few large fortunes, and an easy liveli-



MODERN MCCORMICK REAPER

This reaper cuts and threshes the grain

hood for all who were industrious, was now about to witness sudden enormous accumulations of wealth, to perceive sharp contrasts between poverty and abundance, an ominous breaking up of economic levels. The aggregate material power of the country was to be greatly increased but individual opportunity was to become unequal, society was to exchange its simple for a complex structure, fruitful of new problems of life, full of new capacities for disorder and disease."¹

380. Social and economic problems; extension of the suffrage

Thus this unprecedented material expansion opened the way for a number of social and economic problems of today — such as strikes, labor unions, the relation of capital and labor, trusts, and interstate commerce. But for the immediate future it was more significant of the approaching political divergence between the sections of the country. It emphasized the economic differences of the various regions and thus made inevitable political conflicts between them.

¹ Wilson, *Division and Reunion*.

Along with this material growth there was a corresponding expansion of the suffrage. Since colonial days there had been in most of the states either religious or property qualifications for voting. In some places only tax-payers might vote. The states had almost uniformly been slow in adjusting their fundamental laws to the changed conditions, and as a consequence thousands of men did not participate in political affairs. The agitation of the slavery question, the passionate public discussion of the tariff, the bitter contest over the bank — appealing to the almost instinctive popular distrust of capital, the rise of public education, the multiplication of newspapers, magazines, and books, the rapidly increasing means of quick communication, even the material expansion itself — all these factors educated the popular mind to interest in all life, and politics was a part of it. As always happens when enlightenment grows, the people demanded more and more the right of self-government. The right of suffrage was therefore extended, caucus nominations became less frequent, terms of office were shortened, and offices formerly appointive were now filled by popular election. These reforms stirred within the politicians a mighty sympathy with the people, and gave rise to questionable, though interesting, methods of campaigning. “Bosses” and “rings” developed, and party machinery was expanded and reorganized with a view of controlling the new electorate. The common man had had little knowledge of political affairs, but he was now demanding the right to learn, and to learn by experience.

SUMMARY

The plain people were now coming into their own and Andrew Jackson was their exponent. In him were embodied the honesty, the fearlessness, the capacity of the common man. In all these qualities he was the direct product of the rising democracy; and he administered the government after the democracy's methods. Accordingly, he threw questions of expediency as to methods to the winds and sent all his energy in the direction of his goal. This attitude, when applied to the questions that affected public policy and involved the administration of his office as president, brought him into open and violent conflict with every force that crossed his path.

When South Carolina attempted to nullify a federal law the absolutism of a military dictator was brought to bear in upholding the national statute. The battle was drawn, but only because compromise was effected before Jackson could bring the machinery of government into more radical action.

The specter of his and the people's enemy appeared in the bank question, and again the methods he used were no less thoroughgoing than before. If Congress failed to act, then some power must be found that would not fail. If cabinet officials were not pliant, then others must be found that were so. The bank must be destroyed, because it was the people's enemy and his enemy, and he and the people were in the saddle. It *was* destroyed. Its destruction came at an unfavorable moment and helped to produce the worst panic that the country had ever seen. Jackson's term expired just in time to drop the burden on Martin Van Buren, who was not strong enough to stand up under it. He devised the sub-treasury plan, however, as a sort of preventive of future panics, out of which finally evolved our present system of banking.

Meantime, during most of the decade beginning 1830, material prosperity abounded, enlightenment increased rapidly, and the suffrage was greatly extended.

REVIEW QUESTIONS

1. What is a *typical* man? In what sense was Andrew Jackson such?
2. Enumerate a few of the most pronounced elements in the character of Jackson.
3. What was there in the "Tariff of Abominations" to which the South could rightfully object?
4. What was Webster's attitude toward the tariff in 1828? Why had he changed?
5. What was Clay's consistent attitude toward the tariff?
6. How was the doctrine of state rights involved in the tariff controversy?
7. Who were the chief exponents of the state rights doctrine and what constitutional basis did they find?
8. How did the Hayne-Webster debate foreshadow the Civil War?
9. Was there any connection between Jackson's war on the bank and the spirit of nationality or with the spirit of democracy?
10. Did Jackson employ a constitutional method in his war on the bank?
11. What was the cause of the panic of 1837?
12. Has there been a panic within your own memory? What caused it?
13. What were "pet banks"? "Wildcat banks"?
14. How did the increase of inventions and means of transportation promote the process of sectionalization?
15. What restrictions were removed from the suffrage during this era?

CHAPTER XVII

SLAVERY AND THE CONSTITUTION UNDER THE STATE RIGHTS VIEW

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ILLUSTRATIVE MATERIAL. — Whittier, *Anti-slavery Poems*; Longfellow, *The Slave Singing at Midnight, The Slave's Dream*; Stowe, *Uncle Tom's Cabin*; Lennox, *Ante Bellum*; Ingraham, *Sunny South*; *Congressional Debates*.

THE CONSTITUTION AND SLAVERY

Even if the Constitution had been silent upon the question of slavery, the acceptance or rejection of the institution would have been a matter for the decision of each of the several states. But the Constitution, far from being silent, provided for taxing the value of slaves as property, as well as counting three-fifths of them in fixing representation in Congress. In addition, Article I, Section 9, prohibited Congress from interfering with the importation of slaves into any state prior to 1808. These provisions were compromises after strenuous debates in the constitutional convention. That the organic law of the Union thus defended slavery as an existing economical condition, forced upon Congress the passing of the "Fugitive Slave Laws," the purpose of which was to protect the slave owner's lawful right to his property in slaves who might be enticed to escape from servitude into a state which no longer permitted slavery. Another emphatic instance of the recognition of slavery by the general government was in the case of North Carolina's cession of her western lands, in which the clear

381. The Union committed to a recognition of slavery wherever it already existed

stipulation was made and accepted that slavery should receive protection. Representative Wise of Virginia said in Congress, in 1835: "Sir, slavery is interwoven with our very political existence."

**382. Oppo-
sition to
the exten-
sion of
slavery**

The tendency to restrict slavery was shown very early. In the formation of the general government, one question concerning the negro, as we have seen, regarded the importation of slaves; another concerned the political status of the slaves already in the United States. Both of these were disposed of by the Constitution, the first permanently, and the second also permanently, in so far as the original Constitution taught; for the amendments which overthrew slavery proved by their coming into existence after the Civil War that the Southern leaders had held to a correct interpretation of the original document.

The next step in the development of the discussion was the bringing up of the question whether slavery should be prohibited in the territories and in the new states that were being created after the adoption of the Constitution, or, in other words, whether slavery should be restricted or extended. Not yet was there discussion of governmental abolition of slavery where it already existed, nor would there be until President Lincoln's Emancipation Proclamation in 1862-3, which was issued as a war measure, and which was known to be without warrant in the Constitution.

**383. The
changing
conditions
after the
Missouri
Compro-
mise**

The angry debate over the admission of Missouri as a state in the Union was indeed like a "fire bell in the night," for conditions invited a great conflagration. Though many wise, humane, and patriotic men of the North and of the South had not only seen the evils of slavery, but had freed their own slaves and had tried to find a way to be rid of the institution on fair and friendly terms, yet there could be no reasonable hope that the financial system, the economic conditions, and the social customs of the empire of the South could be changed unless through a slow development of ages. Kentucky, Tennessee, Mississippi, and Louisiana, had come in as slave states.

Congress had refused, by a decided vote, to prohibit slavery in the District of Columbia. Many effective laws were on the statute books whereby the owner might recover his runaway negro. Knowing that the Constitution and the laws protected the South, the orators of the North broadened the old conception of the Rights of Man, to include the rights of the negro man. They appealed to the feelings of philanthropy and religion and they created the doctrine of the "higher law" than the Constitution and the laws of the country. The South warmed with indignation at the attacks upon her vested rights, while the North very suddenly glowed with altruistic emotions. The debates on the admission of Missouri kindled the fires of sectional animosity, which, though they smoldered for a while, finally broke out and raged in both sections. Possibly the institution would have endured longer had Southern statesmen been less bold and aggressive in the spread of slavery to new territory, yet both sides to the controversy had strong ground to fear that the other would gain a controlling majority in Congress. When Missouri had come forward for admission (1820) the power was equal in the Senate, and from that time a great game of political skill was played by men and parties to win new territory for their respective sections.

SLAVERY CONSIDERED ECONOMICALLY

After the first negro slaves came, in 1619, others were brought as rapidly as there was a market for them. They soon found their way to the rice and tobacco fields of the South, and a few were employed as household servants throughout the North. Slavery was by no means a sectional institution during a hundred years after the founding of Jamestown and Plymouth, but it finally became sectionalized to a degree, through the laws of adaptation to economic needs, and not through the laws of ethics or religion, and not because one section of the country was more or less enlightened than another.

When the navigation laws of Great Britain developed ship building and manufacturing in New England, the shipowners

384. General responsibility for slavery

soon found profitable employment in carrying timber and manufactured articles to the West Indies in exchange for sugar and molasses, which they brought to New England and made into rum, which in turn they carried to Africa and ex-



NEGRO QUARTERS

changed for captive negroes, whom they transported to the West Indies or to America, according to the demand. In these early days there was no blame attached to the slave traders of the North, or to the slave owners of the South.

They shared profits, and they must share the blame. When England closed her wars with France and Spain in 1713, one of the conditions of peace was that she should have a monopoly of the slave-carrying business. Queen Anne and her courtiers had large investments in the slave trade, and even the Friends in Pennsylvania had slaves for servants as late as the Revolution. Slavery was recognized in all the colonial laws.

Though it is not possible to state a rule without exceptions, yet the negroes generally were well housed, well fed, and humanely treated by the overseers and owners. Motives of sound economy as well as humanity would dictate such a policy; and in the great interior of the slave territory there was little occasion for harsh treatment. Undisturbed by the agitators, the relations were most cordial, kind, and even affectionate, between the master's families and the old negroes. Such feeling existed during the Civil War and long afterward, and explains why there were so few negro outrages and uprisings

while Southern men were away from their families in the early sixties. Still, the visitor to the South might find overworked slaves, and slaves poorly fed by brutal masters whose reasoning powers were not sufficient to make them understand their own interests in the matter. Negroes frequently were incited to run away and were roughly treated by their captors. In the absence of the owners, overseers were not always as kind as they should have been; but it should be remembered that, in most instances, the master lived among his slaves. They were well cared for and not overworked as a rule. The rise of abolition sentiment, then, cannot be attributed to the manner of treatment which negroes received.

As early as 1688, a few Americans had begun to question the moral quality of slavery, and before the time of the Revolutionary war, a few of the colonies had passed resolutions and laws against the further importation of slaves, but these acts had been vetoed by the king for commercial reasons.

Universal discussion of the Rights of Man, which led to the Revolution, shed its influence upon the question of negro slavery. The foremost American statesmen considered the question seriously and began to work for a peaceful solution. One of the indictments against King George III which Jefferson wrote in the original draft of the Declaration of Independence was that he had encouraged the slave trade, "violating the most sacred rights of life and liberty in the persons of a distant people who had never offended him." Jefferson proposed, in 1820, that one-third of the revenues of Virginia be devoted to paying the owners for the gradual emancipation of their slaves. The congress of 1784 lacked only one vote of making all territory west of the Alleghanies free territory. Jefferson was the author of the resolution. By their last will and testament Washington, Jefferson, Madison, and Randolph freed their slaves. Already, in 1733, Great Britain had paid £33,000,000 for the slaves in the West Indies, and had set them free. Doubtless this tremendous philanthropy had an effect upon America.

As a result of the discussion in the first and second Conti-

386. Early movements toward emancipation; slavery becomes sectional; Liberia

mental Congress, slavery was to be prohibited in the Northwest Territory. With a single exception, every state north of Mason and Dixon's line provided for gradual emancipation before Jefferson became president. The climate of the North was too severe for negroes. The death rate among them was high and their labor was not profitable in factories. Even as *free labor*, after fifty years of enlightenment, there was no demand for negroes in any kind of manufacturing enterprises North or South. But the story is a different one when it comes to the labor in rice fields, turpentine forests, and cane fields of the South. In 1776 there were 455,000 negroes in the South and only 46,000 in the North. The North had bought and sold. The South bought and had held.

In some states the negro population equalled or surpassed the whites. The question necessarily became sectional; the operation of geographic laws and economic conditions could not be uniform. Exportation of cotton increased from 138,000 pounds in 1792 to 127,860,152 pounds in 1820. This was due to the cotton gin and slave labor.

Forty-seven years before William Lloyd Garrison issued his *Liberator*, Thomas Jefferson proposed a plan for the gradual emancipation of the negroes and their transportation to Liberia on the west coast of Africa. Even before the days of *The Genius of Universal Emancipation*, the *Liberator*, and the bitter speeches in Congress over the Missouri Compromise, the South was a fruitful field for emancipation societies; they existed in North Carolina, Virginia, Kentucky, Delaware, Tennessee, and Maryland before they were organized in New England. Through the influence of Southern congressmen \$100,000 was appropriated to a colonization society which was organized in 1816. Of this society a nephew of George Washington was the first president, and Henry Clay was the second president. For forty years it sent to Liberia an average of 250 negroes a year, while the race in the South was naturally increasing to millions. With such an increase and with the great demand for negro labor after the improvements in the spinning-wheel and loom

by Arkwright, and the invention of the cotton gin, the result of the economic forces showed the vanity of artificial effort in opposition.

SLAVERY CONSIDERED MORALLY

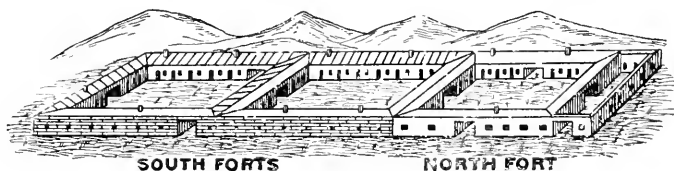
In the struggle over the admission of Missouri (353), the second state to be carved out of the Louisiana Purchase, the South lost irrecoverably. The compromise had left only Arkansas and Florida as possible slave states, and had prohibited slavery in territory in which eventually twelve states were erected. But this was by no means all the damage; in the discussion over Missouri, the anti-slavery sentiment had been aroused to action. The North had recognized that the position of the South was impregnable from a constitutional standpoint; and she now shifted her line of attack to sentimental and moral grounds. Before the Compromise, the ethical or moral view of slavery was not peculiarly emphasized by any section. Perhaps as large a proportion of Southern statesmen as of Northern had lamented its evils, and given deep thought to its possible eradication. But now that economic differences were becoming apparent there began naturally to develop likewise a different moral attitude toward the institution. The economic interest of the North in the negro was constantly declining, relatively at least, and in the consideration of slavery, lands and bank accounts were factors no longer. Hence, she could the more easily see the human side of the problem. Neither the South nor the North was peculiar, therefore, in its attitude assumed in the days of the Missouri Compromise, for material considerations have in all ages modified man's viewpoint on all public questions; and, if we divest slavery of its human aspect and regard it as an economic institution, it at once deserves a place beside the protective tariff, the ship subsidy, and all other forms of national policy that look to the protection or promotion of particular industries, classes of citizens, or sections of the country. To have expected the South to put away her economic interest in slavery and place the question upon moral grounds,

387. The different attitudes and condition of the sections

would have been to expect of her what no section of this or any other country has learned to do even yet. Possibly the North could have afforded to bear her share in the expense of the government's purchase of the millions of slaves in order to set them free; but the North made no such proposal; and the South could not feel that she alone could justly be required to bear the whole burden for the American people.

388. Re-
forms and
reforms;
Dorr's re-
bellion;
patroons

The era (1820-1840) was one of reform. Modern prisons were being built; greater care for the unfortunate of all classes was taking hold of the thoughts of men; the deaf, dumb, and blind were receiving attention; the public free school idea was being proclaimed by Horace Mann of Massachusetts. Two normal schools were built for the training of teachers. Michigan established her university and a system of schools leading up to it. Francis Wright began, in 1830, the agitation of "Woman's Rights." Robert Owen's colony of socialism, known as the New Harmony Community of Equality, on the Wabash river in Indiana, had lived two years. The more visionary effort of Brook Farm, by Hawthorne, Lowell,



FORT, GREAT SALT LAKE CITY, UTAH, 1848

Emerson, and others was spending its brief day. Mormonism, founded in 1830 by Joseph Smith of Elmira, New York, was crowded west, first to Ohio and then to Nauvoo, Illinois, and finally to Utah (1846).

The provisions of the charter granted to Rhode Island in 1663 continued as the constitution of that state until 1842. In 1841 not more than a third of the men in that state were allowed to vote, constitutional provisions limiting that right to the oldest sons, and to tax payers. The legislature gave no heed

to petitions of those who were denied the right of suffrage. Finally these people held a convention, adopted a constitution, chose Thomas W. Dorr as governor, and elected a legislature in opposition to that which already existed. Trouble arose, the militia were called out, Dorr's forces were scattered, and he fled the state; but he returned in 1844, stood trial, and was condemned to life imprisonment. He was pardoned after one year in prison. Within another year he saw placed in the constitution of the state, the principles for which he had fought. In the same year (1842) trouble came up in New York state over rents claimed by the descendants of the old Dutch patroons. Their claims were bought by the tenants, and this phase of feudalism was ended. Manhood suffrage and fee simple title came together.

In 1821, the year of the Compromise, Benjamin Lundy had printed the first issue of *The Genius of Universal Emancipation* in the interest of the anti-slavery movement. About seven years later he enlisted William Lloyd Garrison, firebrand and fanatic, in the "crusade" for emancipation of the slaves. Garrison worked with Lundy for a time, but finding him to be too deliberate, printed the *Liberator*. The intemperate views expressed in this periodical subjected Garrison to the dangers of mob violence by those opposed to him. He was led through the streets of Boston with a rope around his body, and escaped death, perhaps, by being placed in jail for protection. He it was who characterized the Constitution as a "covenant with death and an agreement with hell"; he went about the country preaching the doctrine of immediate, complete, and unconditional freedom of the negroes. He said: "I will be as harsh as truth, and as uncompromising as justice. On this subject I do not wish to think, or speak, or write, with moderation. No! no! Tell a man whose house is on fire to give a moderate alarm; tell him to moderately rescue his wife; tell the mother to gradually extricate her babe from the fire into which it has fallen; — but urge me not to use moderation in a cause like the present." Gradually the newspapers, the bookmakers, and the

389. The
partisan
press and
pulpit

preachers in the North took up the question. Whittier, in 1843, in a poem addressed to the Old Dominion, stirred public sentiment with the lines:

"Still shame your gallant ancestry, the cavaliers of old,
By watching round the shambles where human flesh is sold —
Gloat o'er the new-born child, and count his market value when
The maddened mother's cry of woe shall pierce the slaver's den."

Longfellow and Lowell used their pens little less effectively, while Wendell Phillips and Theodore Parker filled papers and pulpits with the "gospel of free negroes." At the same time Congress was listening with fear and trembling to such emotional exhortations as the following: "And reflect, sir, upon the nature of the being that you thus reduce to the condition of property! It is MAN — your BROTHER! Man, with an intelligent, immortal spirit — Man, allied to angels — Man, made in the image of the Almighty — Man, in a peculiar and exclusive sense, the property of the great Jehovah."

390. Negro
uprisings;
mobs and
riots; peti-
tions

In the year the *Liberator* was published, Nat Turner, a negro preacher, led an insurrection at Southampton, Virginia, in which more than sixty people were killed. The greater part of them were women and children. The people of the South had not forgotten the Gabriel insurrection in Virginia in 1800, or the "Vesey Plot" in Charleston in 1822. The extremists in the North, through their speeches, sermons, and printed matter, caused the people of the South to fear still more formidable insurrections.

Emancipation seemed to the South as well as to the North to depend upon insurrection, and it is not too much to say that the South dreaded the liberation of the slaves more than it prized their servitude. In 1831 Georgia offered \$5000 for the delivery of Garrison to her authorities. Mississippi offered \$5000 reward for the arrest of any one selling the *Liberator* in that state. In the North mobs grew in frequency and violence; in 1837, Elijah P. Lovejoy, publisher of an anti-slavery paper in Alton, Illinois, was killed and his office was demolished. The

poet, John Greenleaf Whittier, edited *The Pennsylvania Freeman* in Philadelphia; his plant was destroyed and the house in which it was printed was burnt. Petitions and memorials were sent to Congress, to the president, and to the post-office department, asking that abolitionist advocates be punished for inciting slaves to insurrection, and that incendiary matter be excluded from the mails. On the other hand, floods of petitions came from the North demanding the abolition of slaves. Congress finally adopted a rule that no further abolition petitions should be read, this, too, in the face of the constitutional guaranty of the right to petition.¹

John Quincy Adams, after having been defeated for the second term as president, served his district in Congress for many years, and became known as the "Old Man Eloquent." He fought this "gag" rule, as it (excluding petitions) was called, for eight years, and finally succeeded in having it repealed in 1844, gradually drifting all the while to a position of hostility to slavery.

Professor Burgess, an authority on constitutional history, says: "It would not be extravagant to say that the whole course of internal history of the United States, from 1836 to 1861, was more largely determined by the struggle in Congress over abolition petitions, and the use of the mails for the distribution of abolition literature, than by anything else."

Evidently conditions were shaping for a mighty and mortal struggle. The agitation must inevitably lead to the habit of regarding all political measures as matters relating to slavery and to the practice of settling them with purpose to affect that one question. Arguments *pro* and *con* began to seek all forms of justification and to leave their marks upon all kinds of institutions. The opponents of slavery urged: (1) That slaves were excluded from the elective franchise solely on account of "the color of the skin," and that this was contrary to the principles for which the Revolution was fought, since "taxation and representation should be inseparable." (2) That negro slavery was

391. The arguments against slavery

¹ See first amendment of the Constitution.

harmful to the morality of the whites in that it constantly stimulated the temper of the slave owner, particularly the youth; and there was perpetual temptation to abuse the excessive power which masters exercised over their servants. (3) That slavery closed the door of opportunity upon the negro, particularly in the matter of education.¹ (4) That slavery was a cruel institution in that "the contempt poured upon these people by our laws, our churches, our seminaries, our professions, naturally invokes upon their heads the fierce wrath of vulgar malignity"; that "our colored fellow citizens, . . are frequently denied seats in our stage coaches; and although admitted upon *the decks* of our steamboats, are almost universally excluded from the cabins"; that husbands were separated from their wives, and children torn ruthlessly from their mothers. One case is cited in which "about twenty poor African families have had their all destroyed, and have neither bed, clothing, nor food remaining." (5) That slavery was economically unprofitable, because slaves were not adapted to the factory system, and their successful use required a wasteful extravagance of land. (6) That slavery was contrary to the "higher law." Lowell appealed to this sentiment when he wrote:

"Slavery, the earth-born Cyclops, fellest of the giant brood,
Sons of brutish Force and Darkness, who have drenched the earth
with blood,
Famished in his self-made desert, blinded by our purer day,
Gropes in yet unblasted regions for his miserable prey:—
Shall we guide his gory fingers where our helpless children play?"

The advocates of slavery argued to the contrary:

(1) That the laws of nature condemned the negro to a state of servitude, because he was inferior in every way to the white

392. The
arguments
for slavery

¹ A town meeting in New Hampshire in 1834 resolved "that we will not associate with, nor in any way countenance, any man or woman who shall hereafter persist in attempting to establish a school in this town for the *exclusive* education of the blacks, or for their education in conjunction with the whites." Such declarations were taken as a proof of the intention of the advocates of slavery to keep the negroes in ignorance.

man; that the negro was not capable of filling any other station and that he was greatly benefited through his relation to the white man. (2) That the negro in servitude in America was much better off than the free negro in Africa; that slavery was really helpful in promoting the happiness of the negro and putting him on a higher plane of living. (3) That slavery furnished the whites a necessary opportunity for self culture. Professor Dew of William and Mary college wrote in 1832: "Look to the slaveholding population of our country and you everywhere find them characterized by noble and elevated sentiment, by humane and virtuous feelings. We do not find among them that cold, contracted, calculating *selfishness* which withers and repels everything around it, and lessens or destroys all the multiplied enjoyments of social intercourse." (4) That slavery was not contrary to Holy Writ. Quoting again from Professor Dew: "We . . . deny most positively that there is anything in the Old or New Testament which would go to show that slavery, when once introduced, ought at all events to be abrogated, or that the master commits any offence in holding slaves. The children of Israel themselves were slaveholders, and were not condemned for it . . . the meek and humble Savior of the world in no instance meddled with the established institutions of mankind. . . He was born in the Roman world, a world in which the most galling slavery existed, a thousand times more cruel than the slavery in our own country — and yet He nowhere encourages insurrection — He nowhere fosters discontent — but exhorts *always* to implicit obedience and fidelity." (5) That slavery was favorable to republican government. "In the ancient republics of Greece and Rome, where the spirit of liberty glowed with most intensity, the slaves were more numerous than the freemen." (6) That slavery was necessary to the perpetuity of economic progress, because without it the cotton, rice, sugar, and tobacco fields could not be developed. (7) That the abolition of slavery would destroy vested rights and reduce to poverty thousands of people who were then living in comparative ease and luxury.

393. The
Liberty
party—1838

The more radical anti-slavery sentiment now began to gather around such leaders as William Lloyd Garrison, and to effect organization. Accordingly, in 1838 the Liberty party took form and elected Joshua R. Giddings of Ohio to Congress,¹ while two years later the abolitionists entered the presidential campaign and polled a very large vote. It was prophetic of a day not far distant when slavery would be the chief factor in national politics.

THE QUALITY OF THE UNION

394. The
old issue
concerning
the powers
delegated
by the
states to
the federal
union

The question whether the United States is singular or plural, one and indissoluble, or a league, and the Constitution a compact between states, rightfully to be dissolved at the will of any party to the contract, is one that men have viewed from different angles, and have argued according to their different interests and conditions, moral, social, or industrial, ever since the adoption of the Constitution in 1789. The real point of controversy in this question concerns itself with the amount of power that should be exercised by the federal government, and is in reality a very old issue. It is perhaps not too much to say that the settlement of North America by the Anglo-Saxon was, in a large sense, a protest against despotism, because, as we have seen (chapter i), it was the result of an intellectual revolution that shook the foundations of authority in every field of human interest. Certainly the American Revolution declared in no unmistakable terms that the American people would not tolerate over-centralization of power. This is abundantly verified by both the Declaration of Independence and the Articles of Confederation. In the formation of the Constitution this same principle was clearly at work, as even a casual study of that document will reveal; and, though the necessity for stronger central power succeeded in a measurable degree, it yielded perceptibly to the opposing force of decentralization. This, it will be remembered, was necessary to secure

¹ Garrison opposed this party, though his agitation of the slavery question was the immediate cause of its formation.

the adoption of the Constitution, and left its distinct impress upon that document in the form of the first ten amendments. With the launching of the new government in 1789, the contest gathered around the question of constitutional interpretation, the Federalists championing the doctrine of greater central authority and the Anti-Federalists opposing (chapter xiii). During this whole period the opposition to centralization, seeking a positive or affirmative substitute for the doctrine and policies of the friends of strong government, found it in the doctrine of state sovereignty — a very natural rallying point, since the people were in those days in closer contact with state than with federal power, and had given allegiance to local rather than to national authority for nearly two centuries.

It was inevitable then that any locality, when it should feel that its peculiar interests had been ignored by or subordinated to federal authority, should attempt to defend itself against despotic power by resort to the doctrine of state rights. This is exactly what happened at the time of the War of 1812, as is shown by the Hartford Convention (329). New England believed that the federal government was abusing its power and that the rightful remedy was secession. It was precisely the same doctrine that this same region had urged in 1803 and 1804 against the purchase of Louisiana — the right to dissolve the Union when the South should attain too great power in the affairs of the government. New England simply meant by all this that she feared centralized power and that she would make use of the doctrine of state rights to oppose it if necessary.

The "nullification" episode, given in a former chapter, was essentially a protest against centralization and against despotism, real or imaginary. Whether well-founded or not, South Carolina's action was based on the belief that the attempt of the federal government to enforce the tariff acts of 1828 and 1832 was usurpation of authority which brought with it immediate danger to men's liberties. Nullification, accordingly, was her rightful remedy, a most natural and moderate remedy.

395.

Threats of
secession
and nulli-
fication
reviewed

396. The historic struggle of state rights against centralized power; slavery the test case

The foregoing facts are here rehearsed with the purpose of emphasizing three fundamental truths which help to a just understanding of the mightiest conflict on the Western Hemisphere: (1) That the American people have from the very beginning of their history stood in mortal fear of despotic power. (2) That every section of the country prior to the Civil War, when it felt its liberties and even its peculiar interests endangered by federal authority, has resorted to the doctrine of state rights as a means of defense. (3) That slavery, becoming a sectional institution, adopted the commonly accepted theory, which rested for support upon the Anglo-Saxon fear of arbitrary centralized power. It does not require, therefore, a long stretch of imagination to bridge the chasm between the South's defense of slavery and the American instinctive demand for freedom from centralized power. The chief difference between the contest over slavery and previous contests with growing nationality is a difference of degree rather than of kind.

The rage of the contending factions at previous times was but a zephyr in comparison with the storm that slavery was at length to bring. Whirlwinds of passion gathered in different sections of the country, each having its center and its circles of force. Through progressive development minor differences were lost, and all the strength of the North was marshalled against that of the South, and the final struggle between union and the technical Constitution took place. The question of the quality of the Union had to be settled; and negro slavery furnished the point of division at which the contending forces should finally measure strength and reach a physical conclusion.

SUMMARY

When the War for Independence had been won, the American people knew how to value the blessing of freedom from despotic power; hence they were very careful to grant to the new government which they were building a decidedly limited prerogative. The doctrine of state rights naturally, therefore, inhered in the Constitution itself — if not in its letter certainly in the spirit which gave it life. After 1789 every section of the country regularly defended its peculiar interests, when necessary, by resort to this

doctrine. Slavery had scarcely become a distinctively Southern institution until the beginning of the nineteenth century; nor had the South felt that its very life depended upon slavery until about the time of the Missouri Compromise. Just at this time the North was beginning to have moral scruples against the institution, and the differences showed themselves in politics, in religion, in the press, in society, and in business. When the North began to attack slavery the South began to defend herself with the customary weapon of state sovereignty. Slavery, therefore, simply became the battleground which the forces of nationality and state sovereignty were now organizing to reconnoitre with a view to decisive combat. We shall see that the climax, though not the end, of the struggle was reached in the Civil War.

REVIEW QUESTIONS

1. When and how was slavery introduced into America?
2. What other important institution was introduced in the same year?
3. Why did slavery develop so much more rapidly at the South than at the North?
4. Point out the earmarks of slavery in the Constitution of the United States.
5. When and why did the objections to slavery take a decided ethical turn?
6. When and why did the institution of slavery become a sectional issue?
7. What influence did invention have upon slavery? How?
8. How did the Missouri question affect abolition sentiment?
9. What importance should be attached to the anti-slavery petitions in Congress?
10. What fundamental relation obtains between Dorr's rebellion and the abolition crusade?
11. How do you account for the presence of the doctrine of strict construction and state rights in the early history of our country?
12. Was the South or North right historically in its theory as to the nature of the Union? Explain.
13. How did slavery become allied with the doctrine of state rights?
14. Had any other interest ever made use of this doctrine before?
15. Do special industries peculiar to a given section of the country now press their claims to protection and preservation on the part of the national government?
16. What does the highest patriotism demand of people whose business needs the special favor of the federal government?
17. What arguments were used by the abolitionists against slavery? By the slave owners in defense of it?
18. Was slavery becoming more than a political question in 1840? Give reason for your answer.
19. What sort of treatment was usually accorded the slave? Did the North understand this to be true?
20. Were the press and the pulpit important factors in the abolition of slavery? How did they expect the abolishment of slavery to be effected?

CHAPTER XVIII

THE FAR WEST

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THE WHIG RULE OF THE EARLY FORTIES

General Jackson, the hero of the common people, gave a western interpretation to democracy and to the presidency. Van Buren was a partial return to the ideals of the East modified by the immediate presence and continued influence of the masterful Jackson. But the panics of '37 and of '39 were too much for the Democrats to carry successfully. Van Buren was again nominated; and the Whigs opposed him with General William Henry Harrison of Indiana, the "Hero of Tippecanoe" (326). To secure Southern votes the Whigs nominated for the vice-presidency John Tyler of Virginia, who was at heart a Democrat, though he had left the party nominally on account, as it appeared later, of opposition to Jackson. After a noisy and showy campaign of whistles, horns, flags, mottoes, and doggerel songs, the Whigs won; as to Whig policy, there had been none, unless opposition to Van Buren and the panic was policy. In ridicule some Democrat had said: "Give him (Harrison) a log cabin and a barrel of hard cider and he will be satisfied." It was the fatal blunder of giving a weapon to an

397.
William
Henry
Harrison
ninth
president —
1841

enemy; at once the Whigs painted signs of log cabins and cider barrels. The author of the expression had given utterance to the thought that was really back of the contest between the seaboard states and the West, and between the politicians who lived in mansions and drank champagne, and the voters who lived in log cabins and drank hard cider. The voters elected "Tippecanoe and Tyler too."

Within one month after the election, President Harrison, then about seventy years old, much fatigued by the campaign, the inauguration ceremonies, and the duties of office, beset night and day by office seekers, sickened and died. For the first time in the history of the country, the vice-president succeeded to an unexpired presidential term, an event for which the Whigs, who had elected John Tyler, were poorly prepared. The program of the Whigs, presented by Henry Clay, who was the acknowledged leader of the party, planned the repeal of the Independent Treasury Act, the establishment of a new national bank (Jackson having destroyed the first one), the floating of bonds to bridge the panic, and the fixing of permanent tariff duties.

President Tyler disappointed the Whigs. The negative part of the program, that of repealing the Independent Treasury Act, was easily passed. But after two unsuccessful efforts to pass a national bank act that the president would sign, the Whigs declared "all political connections between their party and John Tyler at an end from that day forth."

Although the Whigs had a majority of sixty members in the lower house of Congress, they could make no progress against a president that was neither Whig nor Democrat, whom they

398. Death of President Harrison; President Tyler and the Whigs



WILLIAM HENRY HARRISON

399. Tyler and Congress; Tyler and

his Cabinet; the Webster-Ashburton treaty — 1842; Congressional elections — 1843

had heedlessly elected. In the campaign which brought the Whigs into power, one of the issues had been the cause of the hard times through which the country had been passing since the panic of 1837. The Whigs had attributed the financial troubles to the destruction of the second national bank and to the low tariff. Accordingly, a few months after Tyler became president, a bill was passed rechartering the bank. Tyler vetoed the bill and Congress undertook to frame a measure that would be acceptable to the president. The revised bill met the



JOHN TYLER

fate of the former, as did also two tariff measures which Congress passed. By thus using his veto power the president destroyed whatever opportunity he may have had for steering the Whig ship clear of the breakers. He had retained all the cabinet members appointed by his predecessor, and all of them resigned in a short time except Daniel Webster, the secretary of state, who remained only that he might conclude the important matter of determining the northeastern

boundary line between the United States and Canada, which had been left unsettled by the treaty of 1783. According to that agreement this line extended "from the northwest angle of Nova Scotia, viz.: that angle which is formed by a line drawn due north from the source of Saint Croix river to the Highlands; along the said Highlands which divide those rivers which empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean, to the northwesternmost head of Connecticut river." It is not difficult to see that such a description of a boundary line offers ample opportunity for disagreement. Various disputes arose as to the exact meaning of some of the terms used, and as to the location of some

of the places and positions whose names were given. These matters harassed Monroe's administration, became more serious with that of J. Q. Adams, and led, in Van Buren's day, to the "Aroostook War" — an effort of Maine to take possession of part of the disputed territory.

After much embarrassment, a compromise agreed upon (1842) between Mr. Webster, representing the United States, and Lord Ashburton, representing Great Britain, defined the boundary as it now runs. The treaty also provided for the extradition of fugitive criminals from one country to the other. After this agreement was accepted by both governments, Webster also left the cabinet (1842). In that year Congress passed a tariff tax fixing duties at considerably above twenty per cent, which had been the level sought by the compromise tariff of 1833.

At the congressional elections in 1843, the Whigs lost to the Democrats by a large majority, but it little profited a president who had forfeited the confidence of both parties by being "neither bird nor beast" when distinction was necessary.

TEXAS AND OREGON

The careful student has already noticed the influence of the western frontier upon our national life. Not one great movement in the life of the American people has been unaffected by what the brave and strong pioneer has thought and felt and done. Indeed, the distinctive character of American civilization would have been lost long ago but for the free spirit and rugged strength of the Westerner; for into the West have always come the most freedom-loving members of a freedom-loving race; and the conditions of the frontier have not only tended to preserve liberty, but even to promote individual freedom. The Anglo-Saxon's instinct for a fuller life led him to brave the dangers of a savage land separated by three thousand miles of water from his mother country and plant himself permanently on the western shores of the Atlantic; it carried him likewise through the narrow passes of the Alleghanies and established him in the rich valleys of the Ohio, the Tennessee, and the

400. The free and untrammelled Westerners

Cumberland; it urged him to cross the great "father of waters" and take possession of the rolling prairies and fertile woodlands of the Louisiana territory. To have stopped here would have been to reverse the order of nature. Though following the instinct might give strong emphasis to the slavery question, revive in more formidable proportions the doctrine of state sovereignty, and even precipitate civil war, yet the love of freedom inherent in the Anglo-Saxon character must subordinate if not ignore all matters of less than fundamental importance. Come what may, the hardy pioneer who laid the basis of free government in the Western Hemisphere will continue to go west, east, or in any other direction where opportunity offers exercise for his unbounded initiative. This is recited here to help in showing the origin of the Texas and Oregon question, and its relation to the burning issue of slavery.

401. The settling of Texas not an effect of the slavery issue; but annexation becomes an issue because of slavery

It is important that the student should see that the annexation of Texas and the occupation of Oregon were ordained long before slavery became a sectional issue, and would have resulted if that institution had never been. The settlement of Texas, therefore, and all the questions that grew out of it were not originated by conscious effort on the part of slavery to extend itself or to make secure the position of the South in the councils of the nation, as some historians would have us believe. It is true, however, that about 1836 both South and North began to consider the question of annexation in its relation to the interests of slavery. No doubt the South at this time could very well see in annexation her own peculiar advantages and, in keeping with the laws of human nature, desired it more strongly than ever before. The North at the same time saw in annexation the favorable effect it would have upon an institution which she opposed and which she was now beginning to feel was inhumane and contrary to national interests; and, with perfect naturalness she placed herself in opposition to annexation. If slavery had been no more prominent now than in 1803, the annexation of Texas would have encountered perhaps as little opposition as had been shown to Jefferson's

purchase of Louisiana. So after all, though slavery did not give origin to Texas, it made of her a national issue and precipitated consequences that are still felt in American life.

Just when the first Anglo-Saxon ventured to examine into the vast resources of the land which the Spaniards and Mexicans called Texas (a name derived from one of the Indian tribes of the region) is not definitely known. In 1819, Moses Austin and Stephen F. Austin, father and son, left their Missouri home, to which they had come from Connecticut, and obtained from the Mexican government, about to win independence from Spain, a grant to a large tract of land on the Colorado river. The settlement made here became the nucleus of American life in Texas, and the Anglo-Saxon instinct to come west was stimulated by the friendly policy of the young and independent Republic of Mexico, which was now offering premiums in land to foreigners who would settle in her province. "From New York, Pennsylvania, Virginia, and Ohio they came; but most of all they came from Tennessee, Mississippi, Alabama, and Georgia. The wealthy, open-handed Southern planter, with a band of slaves to dig a second fortune from the fertile bottom lands of the Trinity, Brazos, and Colorado; the frugal Northern farmer, wealthy in the possession of a family of sturdy sons; the 'poor white,' with hardly more than the shabby clothes upon his back; bridal couples on their honeymoon journey; young adventurers; lawyers, doctors, merchants — all sorts and conditions of men came to Texas. And to all of them it was a land bright with promise and hope. By 1835 there were between twenty-five and thirty thousand Americans in Texas."¹

In the meantime, however, the arbitrary rule of the Mexican officials and the naturally discordant racial elements had led to friction. In 1830 Bustamante, the Mexican president, forbade the further immigration of Americans into Texas and thereby increased the natural desire of the American settlers to be received under the parental roof. Already the United

402. The grant to Austin — 1821; immigration

403. Revolution; San Jacinto, 1836; the Texas Republic — 1836-1845

¹ Barker, Potts, and Ramsdell, *A School History of Texas*, p. 71.

States had endeavored in 1827 and 1829 to purchase the region lying northwest of the Nueces watershed. The Americans in Texas now attempted to separate themselves from the state of Coahuila, but in vain. When Santa Anna, in 1835, overthrew the Mexican Republic and became dictator, the relations between the Mexicans and the Americans in Texas were strained to the



SAM HOUSTON

limit of endurance and a revolution was begun. It reached its climax in 1836, when General Sam Houston, with 750 men, fought Santa Anna, with 1350 men, and gained the independence of Texas, which remained a separate republic for nine years. In 1843 Texas was asking to be admitted into the United States of America. Of course this opened again the old question of free or slave territory. The North was jealous of the increasing strength of the slavery

element in the South, and Southern statesmen, intrenched in the Constitution and the laws, were not only firm but aggressive on the subject.

Under the constitution of Mexico, adopted in 1827, slavery was prohibited in Texas. But the fertile river bottoms of Texas were too rich a field for cotton and corn, to escape the eye of the Southern planters. Americans had occupied Texas and had thrown off Mexico's yoke and were asking a place in their father's house, and the United States would not long shut the door against them.

During Van Buren's term, Texas made overtures for admission, but received no encouragement from the president. Tyler, however, a Southerner by birth and breeding, naturally looked with greater favor upon the annexation of Texas, a state with enormous potentiality for Southern advantage in the government. Besides, it had become apparent that Great Britain and France were directing their diplomacy toward the acqui-

sition of Texas. For Texas, an empire in extent, to continue a slaveholding neighbor and rival republic would not be unpropitious to Southern interests, perhaps, but the people down in Texas were native Anglo-Saxons, and naturally belonged with and in the United States. President Tyler surprised the Senate in 1844 with the treaty with Texas which his secretary of state, John C. Calhoun, had prepared, and asked for its ratification, which was declined by a vote of 35 to 16. The annexation of Texas became the leading issue in the political campaign of this year.

Whigs and Democrats held conventions in Baltimore to write platforms and nominate candidates. The Democrats nominated James K. Polk of Tennessee for president, and Silas Wright of New York for vice-president. Wright declined the nomination, and George M. Dallas of Pennsylvania was placed on the ticket. The Whigs nominated their idol, Henry Clay. The Democrats favored the annexation of Texas, or "the re-annexation of Texas and the re-occupation of Oregon," for political reasons. It was in this campaign that the cry, "Fifty-four forty or fight" was heard. The Whigs said nothing about the annexation of Texas, but depended on old issues and Clay's magnetic personality for success. Clay, with his "fatal facility" for writing letters of explanation, undertook to give both parties to understand that he would be in favor of the annexation of Texas if it could be accomplished "without war, with the common consent of the nation, and on just and fair terms." Before his nomination by the Whigs, he had opposed the annexation of Texas, as likely to bring on a war with Mexico.

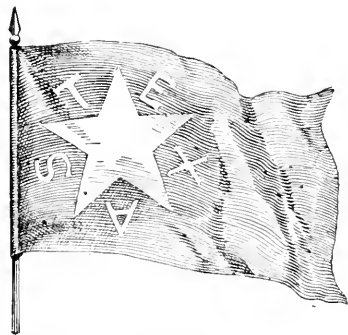
405. The presidential campaign of 1844; annexation of Texas — 1845-6



JAMES K. POLK

Clay's attempt to ride two horses drove the abolitionists from him and into the Liberty party, which cast 60,000 votes for James G. Birney. The defection in New York and Michigan lost Clay the electoral votes of both states and elected Polk president. When the result was known, Congress rushed through a joint resolution annexing Texas, since a treaty of annexation would have required an affirmative vote of two-thirds of all the senators; Tyler signed the resolution March 3,

and Texas accepted July 4, 1845. On December 29th of the same year Congress approved the constitution submitted by Texas, and on February 16, 1846, President Anson Jones declared, "The Republic of Texas is no more," and handed over the government of the state to Governor J. Pinckney Henderson. Meantime, Florida, a slave state, had been admitted (March, 1845).



FLAG OF TEXAS

406. Arguments concerning the annexation of Texas; Calhoun's position

The arguments *pro* and *con* in the debate over Texas are significant. John C. Calhoun, Tyler's secretary of state, was perhaps the ablest exponent of annexation. In 1844 he set forth that: (1) "Great Britain . . . is endeavoring, through her diplomacy, to accomplish it [the abolition of slavery], by making the abolition of slavery one of the conditions on which Mexico should acknowledge her independence. . . . It is sufficient to say, that the consummation of the avowed object of her wishes in reference to Texas would be followed by hostile feelings and relations between that country and the United States, which could not fail to place her under the influence and control of Great Britain." (2) "It is well known that Texas has long desired to be annexed to this Union; that her people, at the time of the adoption of her constitution, expressed, by an almost unanimous vote, her desire to that effect."

To these arguments of Calhoun might be added others that exerted a compelling influence upon the minds of many. (1) The Texans were one in blood, one in speech, one in institutions with the people of America. (2) Texas was an empire not only in extent of territory, but also in wealth of resources. It would add immensely to the strength of the nation. (3) Texas had at one time rightfully belonged to the United States and her "reannexation" would be entirely legitimate.

Opposed to these arguments were the following: (1) Annexation "will extend and perpetuate slavery." (2) "Annexation and war with Mexico are identical." (3) "I conceive that no motive for the acquisition of foreign territory would be more unfortunate, or pregnant with more fatal consequences, than that of obtaining it for the purpose of strengthening one part against another part of the common Confederacy. Such a principle, put into practical operation, would menace the existence, if it did not certainly sow the seeds of a dissolution of the Union. . . . If today Texas be acquired to strengthen one part of the confederacy, tomorrow, Canada may be required to add strength to another."¹ (4) It would give the South preponderating influence in the national councils.

The politicians spoke of the "re-annexation" of Texas to give popular strength to the annexation movement by suggesting that Texas had once belonged to the United States under the Louisiana Purchase, but had been lost by the treaty of 1819. They wrote "re" to the occupation of Oregon for the similar reason that it had once belonged to the United States, they said, and was foolishly lost through a treaty. However this may be, we see again the Democrats, the party of strict construction of constitutional provisions, becoming the party of expansion and adding to the country a princely domain in 1845.

Since the Missouri Compromise (1820) Michigan had come in as a free state and Arkansas had been admitted as a slave state. The admission of Florida and Texas aroused again the whole

407. Additional arguments; Clay's reasoning

408. The Democrats the advocates of territorial expansion; admission of Michigan and Arkansas

¹ Arguments 2 and 3 are quoted from Senator Henry Clay's speech at Raleigh, April 17, 1844.

army of anti-slavery agitators, and, in the North, many speeches were made in favor of secession.

409. Acquisition of Oregon; boundary settled — 1846

To hold the Democrats of the North in line for the annexation of Texas, the leaders had committed the party to the policy of acquiring Oregon, upon whose territory more than one free state would eventually be erected. In the treaties of 1824 and 1825, Russia had relinquished all claims to the Pacific coast south of latitude $54^{\circ} 40'$ north; and it was the alliterative appellation of this boundary line that had been the noisy slogan of the Democrats in the election, the aforesaid noise being raised, of course, with purpose to terrify Great Britain, which had a claim to the territory south of $54^{\circ} 40'$ by reason of the establishment of a number of trading-posts in that region by the Hudson Bay company. The treaties, with France in 1803 and with Spain in 1819, prescribed the forty-second parallel as the northern limit of Spanish territory; so Great Britain and the United States were both claiming the country between the Spanish boundary and the Russian boundary, that is to say, between the forty-second parallel and that of $54^{\circ} 40'$.¹ The two powers, however, had agreed to occupy the country conjointly, pending a settlement of boundaries, and in 1846 a compromise was effected, and the forty-ninth parallel was established as the boundary between the British dominions on the west coast and the United States.

WAR WITH MEXICO

410. Polk president — 1846; the Democratic program

Hardly had President Tyler signed the resolution for the annexation of Texas, when the Polk administration came into power, bringing no real change, however, in the relative strength of sectional politics. As a matter of fact the change was but nominal, and the party program of the avowed Democrats developed only a more forcible continuation of most of the policies which Tyler had approved: (1) The reduction of the tariff. (2) The reestablishment of the Independent Treasury. (3) The

¹ What was the basis of the claims of the United States to this region?

settlement of the Oregon boundary. (4) The acquisition of California.

The claim of Mexico that her territory extended on the north as far as the Nueces river, though not intended to imply a relinquishment of her rights in Texas, was sufficient ground, in President Polk's judgment, for holding the line of the Rio Grande with United States military forces. As to the actual rights of Mexico and the United States in the disputed strip of country, the treaty of Spain with France in 1800, and that of the United States with France in 1803, gave support to Polk's contention that the Rio Grande was the boundary, while Mexico had reason to claim that the treaty of 1819, in which the United States relinquished to Spain all right to Texas, had empowered her [Mexico] to make the division line between her provinces according to her own will; and that the boundary between Texas and Coahuila was the Nueces.

In the summer of 1845, before the last authoritative procedure had completed the annexation of Texas, and had formally made her a state in the American Union, President Polk ordered General Taylor, with 1500 men, to proceed to Corpus Christi, on the west bank of the Nueces, preparatory to forcible occupation of the disputed territory; and after reënforcing the army with some 3000 troops, Polk ordered Taylor, early in 1846, to advance to the Rio Grande. Meantime, a Mexican army had entered the debatable ground; and on April 24, a collision occurred between flying parties, and the Americans lost men killed and captured. Then followed combats at Palo Alto on May 8, and at Resaca de la Palma on May 9; and the remainder of Ampudia's army recrossed the Rio Grande.

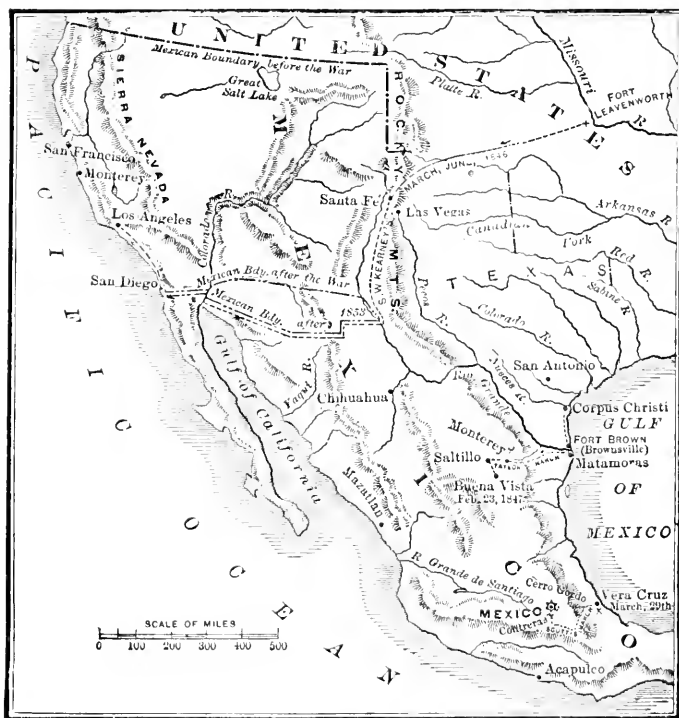
President Polk sent a message to Congress, May 11, 1846, in which he asserted that Mexico had invaded American soil and had shed the blood of American citizens; war was at once declared, and plans were made for the invasion of Mexico. General Taylor was to advance and take Monterey; Kearny, marching from Fort Leavenworth, should take Santa Fé; and leaving a garrison there, should continue his march into Cali-

411. The Texas-Mexican boundary

412. General Taylor's hostilities with Mexico - 1846

413. The American strategy

ifornia and hold the country. Meanwhile Commodores Sloat and Stockton, who in 1845 had begun the voyage around Cape Horn, should bombard the coast towns of California and set up a government under United States authority. All these operations worked well together; Taylor took Monterey;



MAP OF THE MEXICAN WAR

Kearny took Santa Fé, left his garrison, and with 400 dragoons rode on to California; Sloat and Stockton reduced Monterey, California, to submission, while Frémont raised his famous bear flag in the northern part of that region, and the inhabitants submitted to be governed as the conquerors chose. All this happened before Kearny could reach the scene of action, yet

he arrived in time to give strength to the invaders. Kearny's 800 men at Santa Fé marched under Doniphan a thousand miles into northern Mexico, took the city of Chihuahua, and then moved eastward and joined Taylor's forces at Saltillo. Meanwhile, Taylor had fought the battle of Buena Vista, in which he defeated a much more numerous army under Santa Anna, president and dictator of Mexico. Taylor, after this battle, ceased to advance, and Santa Anna hastened south to defend his capital against the army of General Winfield Scott.



FREMONT'S "BEAR FLAG"

The refusal of Mexico to entertain proposals of peace determined the United States government to invade her territory by way of Vera Cruz, the nearest port to her capital city. General Scott, the commander-in-chief of the armies, landed 12,000 troops at Vera Cruz in March, 1847, and the city surrendered before the close of the month. The march to the capital was interrupted by battles at Cerro Gordo, Contreras, San Antonio, Cherubusco, and Molino del Rey, in which the unfortunate Mexican soldiers, under Spanish officers, unavailingly defended their positions with great gallantry and fearful loss. Another peace offering on the part of the Americans was met by Mexico's impossible demands, and Scott carried the fortifications of the capital and took possession of the city on September 13. Shortly after this event, the peace commissioners met near the capital city, and concluded what is called the treaty of Guadalupe Hidalgo, from the town in which they held their sessions. By the terms of this treaty, the Rio Grande became the boundary between Mexico and Texas. Mexico ceded to the United States all of New Mexico, and all of California excepting the Peninsula; and the United States paid to Mexico \$15,000,000, besides assuming debts due from Mexico to American creditors amounting to \$3,500,000. By the treaty the United States acquired more than half a million square miles

414.

Scott's invasion of Mexico — 1847; the treaty of Guadalupe Hidalgo

of additional territory, not including Texas. The United States now stretched westward to the "South Sea"; the colony at Jamestown, 3000 miles from the Golden Gate, had built their huts 240 years before the bear flag was unfolded; eight generations had passed away; the East had reached the West, and would again move westward to the East.¹

415. Early interest in the Isthmian canal; the Clayton-Bulwer treaty — 1850

Interest in the Southwest directed the attention of the country to the importance of an Isthmian canal. When the war with Mexico broke out it became apparent that a shorter route to the Pacific was almost a necessity, for the distance around Cape Horn, and the slowness of travel overland across the mountains and deserts of the West, rendered communication with this far away region very uncertain and unsatisfactory in every way. In 1846 the United States and New Granada (now Colombia) entered into an agreement by which the former assumed a kind of protectorate over the Isthmus of Panama and in return received the guaranty of New Granada for an equal use of any transportation route across the Isthmus.

These activities with regard to Panama excited Great Britain, for that country was also looking toward such a route across Nicaragua, where she exercised a form of protectorate over the Mosquito Indians. The relations between the United States and Great Britain were becoming somewhat strained when a settlement was reached in the Clayton-Bulwer treaty (April 9, 1850). By this treaty both countries agreed that each route in dispute would be subject to the equal use of both parties and should not be controlled in the exclusive interests of either. Great Britain also agreed to make no settlement in Central America.

416. The tariff; the treasury

Although their majority in the House of Representatives was lost in the congressional elections of 1847, the Democrats carried through, yet with difficulty, the remaining part of their program. The tariff was revised and, in compliance with the Democratic demand for a revenue tariff rather than a pro-

¹ In 1853 the boundary line to the West between Mexico and California was settled by treaty. In the transaction the United States was represented by James Gadsden. This "purchase" or treaty, known as the Gadsden Purchase, added 45,535 square miles to the United States at a cost of \$10,000,000.



fective one, was reduced to thirty per cent *ad valorem*, a rate undisturbed until 1857, notwithstanding the great cost of the Mexican war. Congress also reëstablished the "independent treasury" as it had been in 1840, and practically as it is to-day. The boundary of Oregon had been settled upon in fairness and honor in spite of the jingoism that had entered into the presidential campaign.

While Congress was discussing the appropriation of \$3,000,000 for the settling of the Mexican boundary question and the acquisition of new territory, David Wilmot, a Democrat from Pennsylvania, moved an amendment which provided that no territory procured by the use of the money should be opened to slavery. The proviso never became law, but it served as an argument in many subsequent debates on the ever present question of slavery. If the measure had passed, the principle of the Missouri Compromise would have been expressly violated, for most of the territory involved lay south of 36° 30'. This fact had the effect of greatly exciting the South, which now could perceive the determination of the North to prohibit the further extension of slavery.¹

417. The Wilmot proviso

The Mexican cession had added to the map of the United States a vast territory suitable to agriculture and slave labor, and thus forced the further struggle over the slave question upon the people.

418. Election of Taylor — 1848; the Free-Soilers; "Squatter sovereignty"

Notwithstanding the unusually successful administration of Polk and Dallas, the Democrats nominated the ablest of their conservative men, Lewis Cass of Michigan, for the presidency, and William O. Butler of Kentucky for the vice-presidency. They reaffirmed old platforms, but did not take a position on the pressing question of slavery. The Whigs saw in the conditions another opportunity for a military hero without a plat-

¹ The Mexican war was unpopular in the North because of slavery in Texas and the possible slave territory that would result from the war. But in spite of argument, ridicule, and aggressive opposition, the Democrats had fought a successful war for the second time, and to this date all territory that had been added since the days of Washington, in the aggregate more than quadrupling the original thirteen states, had been added by the Democratic party, the party of strict construction.

form, and nominated General Taylor, the victor of Monterey and Buena Vista, and, after a campaign resembling the Harrison campaign, "Old Rough and Ready," as he was affectionately called, was elected. It is interesting to note that New York sent two delegations to the Democratic convention. The faction that was conservative on the slavery question was called "Hunkers"; the radical faction was called "Barn-Burners,"



ZACHARY TAYLOR

from the story of a man who burned his barn to get rid of the rats. With weakness not peculiar to either of the leading parties at the time, the convention decided to seat both delegations and divide the vote between them, whereupon both promptly withdrew. This action would have had little result if the Barn-Burners had not put up candidates themselves. They nominated Ex-President Van Buren, and Charles Francis Adams of

Massachusetts, and became known as the Free-Soil party. They were endorsed by the old Liberty party, and thus became the successors of that party, and were supported by Whigs and Democrats who believed with them on the slavery issue. They did not receive one electoral vote; but they polled about 150,000 of the popular vote, took enough strength from the Democrats in New York to give that state to the Whigs, and caused the election of Taylor.

The Democrats, following the arguments of Stephen A. Douglas, had contended in the campaign that the question of slavery was one to be settled by the inhabitants of each state, and was, therefore, not a national question, thus preaching the state rights dogma, this phase being known afterward as "squatter sovereignty." The Whigs had said as little about slavery

as possible; they spent their time in shouting for the soldier who had commanded Captain Bragg to put in a little more grape. The Free-Soil people had made the issue openly and squarely on the abolition of slavery. They said Congress "could not make slaves nor kings." There must be no more slave states nor slave territory . . . "a free soil for a free people." They forced the fighting on an issue that was soon to split old parties and draw the political boundaries on the lines that separated the slave states from the North.

Just before the signing of the treaty with Mexico, gold was discovered at Sutter's Mill in California. As soon as this became known there was a mad rush of gold hunters from all parts

419. Gold in California



THE OVERLAND ROUTE TO CALIFORNIA

of the world. Thousands upon thousands went three thousand miles by land from the old states, their route marked by the bones of those who died on the way. Others took ship by the way of Cape Horn, while still others crossed the Isthmus of Panama and sailed thence to San Francisco. By the end of 1849 California had 80,000 inhabitants. All sorts of people had rushed in, and it soon became necessary to form a government to supplant the vigilance committees, who had been created as a sort of law and order rule. In the year 1849 a convention was held, an anti-slavery constitution was formed, and California was asking for admission as a free state.

Meantime, Iowa and Wisconsin had been admitted to the Union as free states, and again the scales balanced — thirty senators against thirty senators; and when Congress met in December, 1849, it seemed that the acquisition of the immense western territory had caused less trouble than must be under-

420. Iowa and Wisconsin admitted; the compromise line again

gone in determining what to do with it. By a judgment that out-Solomoned Solomon, the child California had been cut in two by the Missouri Compromise line, and would lie half in slave territory, and half in free territory, because neither of the contestants would relinquish its claim. And what should be done with the territories — with Utah and New Mexico, across whose potential areas the line of $36^{\circ} 30'$ stretched its relentless course? And even Texas, which in those days had a Panhandle so long that its end was nearer to Canada than to Red river — what should be done with Texas? But these were not all of the troublesome questions. The anti-slavery people were vigorously demanding the abolishment of slavery in the District of Columbia, while the South was complaining that the fugitive slave laws were constantly transgressed with impunity, and charging the Northern people with deliberately doing violence to the Constitution.¹

**421. Clay's
Compromise of
1850**

Henry Clay, "the peacemaker," having been speaker of the House of Representatives in the stormy days of 1811-1814, twice the nominee of his party for the presidency, its acknowledged leader and its idol, now bearing the scars of many a hard fought battle for his country, in whose service he had spent his activities and would spend his life, for the last time came forward and spoke peace to the troubled sea. He proposed in the Senate the Compromise of 1850, known from its many parts as the "Omnibus Bill." It provided that: (1) California should be admitted as a free state. (2) New Mexico and Utah should be organized and nothing said about slavery. (3) Texas should receive \$10,000,000 for her claims to disputed territory in New Mexico. (4) The slave trade should be prohibited in the District of Columbia, but slavery should continue. (5) A more adequate fugitive slave law should be enacted. The measure passed after many bitter debates.

**422. An
efficient
Fugitive
Slave Law;**

That part of the Compromise of 1850 which had the greatest influence in hastening the final catastrophe was that which gave an efficient act for the rendition of fugitive slaves. By

¹ Constitution; Art. IV, Sec. ii, 3.

this date (1850) judges and executive officers in Northern states had grown lax in the discharge of their duties. The law now took the matter out of the hands of state officers and put it into the hands of United States commissioners. Negroes could not testify, of course, and a simple affidavit by the owner, coupled with identification of the fugitive, was all that was necessary to authorize the officer to apprehend, arrest, and return the negro to his master in a different and distant state. Immediately after the passage of the law, many of the commissioners became "slave catchers" or "man hunters" as they were called; they made a business of searching for negroes who had escaped during the last several years into free territory, and had been concealed and protected by their Northern sympathizers. It was but natural that the scenes incident to the arrest of these negroes among a people hostile to slavery, should stir men to anger and resistance. So great was the feeling, that many Northern states, violating the Constitution, passed "personal liberty laws," and citizens, individually and systematically, assisted negroes in escaping into Canada. Secret routes were arranged through which the fleeing negro could travel in safety; he was furnished with food, means of concealment, and transportation; thousands of negroes made good their escape from their masters by these so-called "underground railways."

When the excitement was at its greatest, Mrs. Harriet Beecher Stowe published her book, *Uncle Tom's Cabin*, which immediately sold to the extent of 300,000 volumes. There was nothing particularly original in the book except its method of presentation. It expressed well the arguments in current use against slavery, and perhaps represented the average opinion of the North on that subject. But it caught the tense, inflammable imagination of the volatile public mind and the result was like an explosion. The book had very little truth in it, and what of truth there was existed only on the outskirts of the great slave territory under conditions produced by constant agitation of the question. At best, portraying what might

"Uncle
Tom's
Cabin"

423. Death
of Taylor;
President
Fillmore;
campaign of
1852; elec-
tion of
Pierce

have been rather than what really was, it substituted the accidental for the usual and normal.

Within two years after his election, President Taylor died, and, for the second time, a Whig vice-president succeeded to the presidency. The change to Fillmore produced no visible effects on the success of the Whig administration. But owing to the unstable condition of the public mind, for several succeeding elections, a party would turn from one leader to another, and the country would change from one party to another, seeking in vain for a solution of the problems that slavery had

brought. And it was now that Jefferson's ominous words came to many minds: "Nothing is more certainly written in the book of fate than that these people are to be free; nor is it less certain that the two races, equally free, cannot live in the same government."



MILLARD FILLMORE

The Democrats met and passed over Lewis Cass, Stephen A. Douglas, and James Buchanan, the real leaders of the party, and nominated Franklin Pierce, of New Hampshire, a handsome

young congressman, who had served in the Mexican war as a brigadier-general, and whose strength lay in the fact that "there was nothing against him." The party declared its old policies and its satisfaction with the Compromise of 1850; moreover, it reaffirmed the Virginia and Kentucky resolutions of a half century before.

The Whigs trusted to strategy like that which had brought victory under General Harrison and General Taylor; they put aside every statesman and turned to the soldier, nominating General Scott, obtusely failing to regard the fact that he whom they probably called the "Conqueror of Mexico," was dubbed

by his own soldiers "Old Fuss and Feathers." They declared allegiance to the compromise measures of 1850; but the irritating conditions of the fugitive slave act drove many of the Northern Whigs into apathy or into the ranks of the "Free-Soilers." The Free-Soil party met in Pittsburgh, August 11, and nominated John P. Hale of New Hampshire, and George W. Julian of Indiana. This party struck out boldly for the abolition of slavery. Their declaration was: "No more slave states, no more slave territories, no nationalized slavery, and no national legislation for the extradition of slaves." This party had passed the crest of its wave and served only for a place of refuge for the lukewarm members of the two other parties, those men who were willing to sink all things for one measure, and were without hope in regard to that. By a small margin the Democrats carried all but four states, to wit: Massachusetts, Vermont, Tennessee, and Kentucky. Pierce received 254 electoral votes, and Scott 41.



FRANKLIN PIERCE

SUMMARY

The death of President Harrison (1841) ruined the chances of the Whig party, and added thereby fuel to the flames of political strife which had already begun to burn. The question of the annexation of Texas had by this time become involved with the slavery issue and with it now became the center of political thought. Joined with the question of the annexation of Oregon it became the chief issue in the presidential campaign of 1844, the Democrats favoring and the Whigs opposing annexation. The Democrats won and the administration proceeded at once to the task of annexing Texas — a matter which was concluded in February, 1846. This fight over Texas brought out in bold relief the differences over slavery, and also led to war with Mexico. This war lasted only two years and resulted in the further acquisition by the United States of a territory five-eighths as large

as the Louisiana Purchase, extending our possessions to the Pacific Ocean, and closing our work of national expansion for a half century. The discovery of gold in California (1848) and the consequent settlement of that rich region made prominent again the slavery issue and led to the Compromise of 1850, by which the impending conflict was postponed a few more years. And yet the dissension over slavery continued. The North nullified in practice the fugitive slave laws by resorting to the "underground railroad," and Mrs. Stowe aroused again in more violent form the abolition sentiment. The disintegration of political parties grew apace, the Whigs practically disappearing as a national organization.

REVIEW QUESTIONS

1. Recite the circumstances that first put Tyler in the White House. 2. What led to a breach between Tyler and the Whigs? 3. What was the Webster-Ashburton treaty? 4. What influences led to the settlement of Texas? 5. Where was Moses Austin's original home? Does this suggest to you a reason why Texas was settled? 6. How did the question of the annexation of Texas become bound up with the slavery issue? 7. What were some of the arguments for annexation? Against it? 8. What other region figured prominently in the campaign of 1844? 9. What were the respective claims of Great Britain and the United States to the Oregon territory? How settled? 10. Show the relation of the annexation of Texas to the Mexican war. 11. Why should Texas be said to be *annexed*, and Missouri *admitted*? 12. Can you see any reason for calling the war with Mexico a war for the extension of slavery? 13. What territory did the United States acquire by the treaty of Guadalupe Hidalgo? 14. What bearing did this new region have upon the slavery question? 15. Who were the "forty niners," and what gave them special importance in our country's history? 16. What were the circumstances that brought about the Compromise of 1850? 17. Which gained the more by this measure, the North or the South? Why? 18. How did this compromise affect the slavery issue? 19. What was the Wilmot proviso? 20. How did the question of an Isthmian canal arise about 1850, and what famous treaty was made as a consequence? 21. Was *Uncle Tom's Cabin* a natural product of the times? How did it affect abolition sentiment? 22. What was the nature of the Walker Tariff (1846)?

CHAPTER XIX

THE RISE OF THE REPUBLICAN PARTY

REFERENCES

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ILLUSTRATIVE MATERIAL. — Tourgee, *Hot Plowshares, Bricks Without Straw*; Whittier, *Anti-slavery Poems*.

THE DISORDERS IN KANSAS

John C. Calhoun, Henry Clay, and Daniel Webster, America's peerless triumvirate of forensic peers had passed away. The first, from the far South, the ablest champion of her constitutional rights; the last, the lion of the North, her exponent and seer; Clay, the great peacemaker between angry brethren on either hand, the Colossus of his time; all had been laid to rest before the final trial of fratricidal strength, Calhoun in 1850, Clay on June 29, 1852, and Webster on October 25 of the same year. Each had done his duty as he saw it, developing, concentrating, and exhausting his transcendent genius in the service of his grateful country.

The times had brought to the front, to take the places of the passing statesmen, among the Democrats, Stephen A. Douglas of Illinois, and Jefferson Davis of Mississippi, while Alexander H. Stephens was among the last great Southern Whigs. The anti-slavery movement in the North fell into the strong hands of Abraham Lincoln of Illinois, Charles Sumner of Massachusetts, Salmon P. Chase of Ohio, and William H. Seward of New York.

424. The new statesmen

425. The territory of Nebraska; the Kansas-Nebraska bill — 1854

Notwithstanding the quiet elections of 1852, the storm burst again when Senator Stephen A. Douglas of Illinois, chairman of the Committee on Territories, introduced a bill on January 4, 1854, for the territorial organization of Nebraska, leaving the question of slavery to the people resident in the territory. This was by no means the first bill which had sought to organize this region, but it became the leading issue now because there was no other especially prominent question like the Mexican war and the acquisition of the Far West to absorb public attention, and because also it brought to the front again the slavery issue which had by this time become uppermost in the thoughts and feelings of practically all of the people North, South, East, and West. Furthermore, the central portion of the Louisiana Purchase territory was rapidly growing in importance because its resources were becoming known to the whole country. The constant stream of immigration that found its way to the promised land on the Pacific had the important effect of populating the fertile prairies between the Missouri river and the Rocky mountains. The people in this region naturally wished to establish definite legal relations with the United States, and under ordinary circumstances there would have been no objection to the Douglas bill. But that part of the measure which provided that "all questions pertaining to slavery in the territories and the new states formed therefrom are to be left to the decision of the people residing therein, by their appropriate representatives," aroused the animus of the North, and when, through the influence of Southern senators, Senator Douglas introduced a new bill, the Kansas-Nebraska bill, with the additional provision that the Missouri Compromise was "superseceded by the principle of the legislation of 1850," the North was beside itself with rage. Protests poured in upon Congress from state legislatures, from mass meetings, and from all sorts of anti-slavery organizations. The measure was denounced in Congress by such men as Chase and Seward as an "atrocious plot," as "the enormous crime," and as everything generally wicked. The bill, amended so as to make two territories in-

stead of one, had its precedent in the Compromise of 1850 for the territorial governments of Utah and New Mexico, arising out of the Mexican cession. It was charged by the opponents of the Kansas-Nebraska bill that the Utah-New Mexico Compromise had reference only to that territory and was not meant to repeal the Missouri Compromise of 1820, and that it was the boldest effrontery and the worst of bad faith to disturb what had been settled for thirty years. But such was the superb leadership of Douglas, the only man in the Congress capable of impelling such a measure to success, that it passed the Senate by a vote of 37 to 14 and the House by 113 to 100. On May 30, 1854, President Pierce, a Democrat from New Hampshire, signed the bill, and it thus became a law.

Pro-slavery and anti-slavery movements began at once within the territories and toward them from without. North and South made preparations for the inevitable struggle for possession of Kansas — a region which, it had been supposed, would become a slave state. Anti-slavery organizations were formed with the express purpose to “assist emigrants to settle in the West.” Chief among such organizations was the New England Emigrant Aid company, whose objects, as stated by Mrs. Sarah Robinson, the wife of the agent of the company, “were to induce emigrants to move westward in such large bodies that arrangements might be made with boat lines and railroads for tickets at reduced rates; to erect sawmills and boarding houses, and establish schools in different localities, that the people might gather around them, and not be obliged to wait years for the blessings and privileges of social life. . .” Prizes were offered for the songs that would best stir up public interest in Kansas. The following from a “Call to Kansas” by Lucy Larcom (1855) is significant.

426. The
New Eng-
land Emi-
grant Aid
company

“One and all, hear our call
Echo through the land!
Aid us with the willing heart
And the strong right hand!
Feed the spark the Pilgrim struck
On old Plymouth Rock!

To the watchfires of the free
 Millions glad shall flock.
 Ho! brothers! Come, brothers!
 Hasten all with me,
 We'll sing upon the Kansas plains,
 A song of Liberty."

427. So-
 cieties
 formed in
 Missouri
 for active
 work in
 Kansas

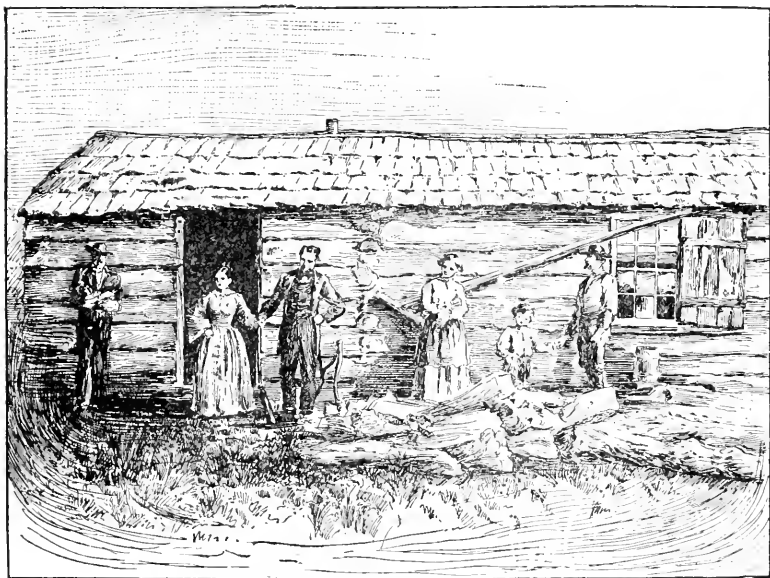
In the meantime, the pro-slavery people were by no means idle. Colonel John Scott, a citizen of St. Joseph, Missouri, wrote as follows of the interest in Kansas: "It was but a short time after the passage of that act (Kansas-Nebraska Act) that we learned through the papers about the forming of a society in the east for the purpose of promoting the settlement of Kansas territory, with the view of making it a free state. Missouri, being a slave state, and believing that an effort of that kind, if successful, would injure her citizens in the enjoyment of their slave property, the Missourians were indignant, and became determined to use all means in their power to counteract the efforts of eastern people upon that subject. . . Most of the slaves in the state of Missouri are in the western border counties, or the hemp-growing portion of Missouri. . . I do not think I would have suggested to any one in Missouri the forming of societies in Missouri but for these eastern societies, and they were formed but as a means of self-defence. . . All that Missourians asked was that the principles of the Kansas-Nebraska Act be carried out, and the actual settlers of the territory wanted to manage their own domestic institutions for themselves."

428. Immi-
 grants with
 breech-
 loading
 rifles;
 "Border
 Ruffians"

The Emigrant Aid Society brought out its first colony in the summer of 1854, and by March, 1855, their town of Lawrence, with every sign of New England parentage, was a prosperous and promising little village. For three years immigrants poured into Kansas from the north, bringing with them a new weapon of argument, the Sharps' rifle, and singing with the zeal of a crusader:

"We cross the prairie as of old the pilgrims crossed the sea,
 To make the West, as they the East, the homestead of the free."

In the meantime, "Border Ruffians" from Missouri, as the anti-slavery people were pleased to call them, were coming into Kansas and attempting to control the elections. In 1854 they elected their candidate to Congress, and in March, 1855, they succeeded in electing a large majority of the legislature. Many of the votes cast in these elections were wholly fraudulent, but



A KANSAS VOTING-PLACE OF 1855

After Photograph of Sketch owned by Kansas Historical Society

the pro-slavery legislature removed to a place near the border, over the protest of the governor, and proceeded to protect their "peculiar" institution with the arm of the law (July, 1855).

In the following November the anti-slavery people met at Topeka, framed a constitution, prepared to institute a government of their own liking, and knocked for admission into the Union as a free state. They declared that "if slavery in Missouri is impossible with freedom in Kansas, then slavery in Missouri must die that freedom in Kansas may live." Threats

429. War
in Kansas,
— 1856

and counter-threats followed until the spring of 1856, when civil war broke out. The anti-slavery men had fortified their town of Lawrence with earthworks, and had supplied themselves with artillery. When a dastardly assassin on the streets of Lawrence shot the sheriff who was endeavoring to arrest a citizen of the town the "Border Ruffians" retaliated. They stormed the place (May 21, 1856), destroyed both public and private property, and killed several people. Shortly afterward John Brown and his four sons, with a squad of followers, wreaked vengeance upon the pro-slavery people by stealthily attacking their settlement at Pottawatomic in the darkness of the night and killing a few of the inhabitants in cold blood. President Pierce was inclined at first to keep hands off, but in July he seemed to take the side of the pro-slavery men when he caused to be dissolved the anti-slavery legislature in session at Topeka. Two months later, however, his newly appointed governor, Geary of Pennsylvania, used the United States troops to expel the "Border Ruffians" from Kansas, and civil war came to an end.

CAMPAIGN OF 1856

430. The
Know-
Nothings —
1856

The Whigs had lost the presidential election of 1852, and now the enactment of the Kansas-Nebraska bill completely demoralized that party, while the Democrats lost the House through defections of their Northern brethren. The general shaking-up of parties proved a favorable time for organizing a new one. In 1854, the American party, or "Know Nothings"¹ elected their candidates for the governorship in Massachusetts and in Delaware. "Before the new House met in December, 1855, the 'Know-Nothings' had carried New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Kentucky,

¹ The "Know-Nothing" party was so called because of its professions and signs, chief of which seemed to be "I don't know." Its motto was "America for Americans." Immigration was pouring into the country and those who had been here a short time became alarmed for fear that those who had been here a shorter time would overrun the country. There was an element of opposition to Catholics in it also.

and California, and had polled handsome votes which fell very little short of being majorities in six Southern states."¹

The Know-Nothings met in Philadelphia, February 22, 1856, reaffirmed their platform of Americanism, disregarded the dominant question of the hour, and nominated ex-President Fillmore as their candidate. The Democrats met in June at Cincinnati, reaffirmed their old faith, endorsed the Compromise of 1850 and the Kansas-Nebraska Act, and, seeking a conservative candidate, nominated James Buchanan of Pennsylvania, whose mission as minister to England during the past four years had kept him out of the strenuous contest. John C. Breckinridge of Kentucky was nominated for vice-president.

431. The parties, platforms and candidates of 1856; the Ostend Manifesto; Buchanan elected

In the meantime, a political party which had already gathered around the anti-slavery sentiment held its first convention at Jackson, Michigan, July 6, 1854. It was an enthusiastic state meeting of abolitionists, and was so large as to necessitate open air sessions. It denounced slavery in scathing terms, favored the repeal of the Kansas-Nebraska Act, resolved to "act cordially and faithfully in union" against the one institution which was a great "moral, social, and political evil." The members of this convention called themselves "Republicans." Ohio, Wisconsin, Pennsylvania, Massachusetts, and Vermont followed in the lead of Michigan, and on February 22, 1856, a national Republican party was organized. On the following June 17, the first national nominating convention met in Philadelphia. It was evident that it was to be the party of the North. No Southern states were represented except Maryland, Delaware, and Kentucky. John C. Frémont, a prominent figure in California, was selected as the standard bearer. The party struck out boldly against the extension of slavery in the territories, maintaining that Congress had no right to make slaves anywhere. It pronounced strongly against the Kansas-Nebraska Act, and against the effort recently made by the Pierce administration to add Cuba to America, naming and condemning the Ostend Manifesto, a document sent out

¹ Wilson's *Division and Reunion*, p. 186.

from Ostend, Belgium, by the three American ministers of England, France, and Spain, in which they took the ground that if Spain should persist in her refusal to sell Cuba to



JAMES BUCHANAN

the United States, the island should be seized as a necessity. The party also urged appropriations for internal improvements, especially for a railroad to the Pacific ocean. It is easily seen that the platform embraced the doctrine of the Anti-Nebraska, Free-Soil, and Whig creeds. The campaign cry was, "Free soil, Free men, Fré-mont!"

The Democrats won. Buchanan received 1,838,169 votes while the new Republican party polled 1,341,264, carrying every Northern state except Pennsylvania, New Jersey, Indiana, and Illinois. The Democrats and Republicans now faced each other. The Whigs and Know-Nothings disappeared.

CONTINUED STRUGGLES OVER SLAVERY

432. His-
tory of the
Dred Scott
case

Mr. Buchanan was scarcely seated in the executive chair before the whole country was stirred by the decision of the Supreme Court, Roger B. Taney of Maryland being chief justice, in the Dred Scott case, a premeditated attempt of anti-slavery men to test slavery in the courts. In brief, Dred Scott was a negro, belonging to an army officer whose home was in Missouri. In the discharge of his duties the master of this slave had taken him into Illinois, a free state, and across the Mississippi river into what is now Minnesota, that is, north of 36° 30', and afterward had brought him back to his home in Missouri. In the meantime, Scott had married in a free territory and a child had been born to him there. The family were

now held as slaves in Missouri. The negro appealed to the courts for his freedom on the ground that his residence in free territory had destroyed his master's proprietary rights in him. The Supreme Court of the state of Missouri refused to support Scott's claim. The negro had now become the property of a citizen of New York, and suit for freedom was instituted in the United States Circuit Court of Missouri. When this court, too, pronounced against Scott, appeal was made to the Supreme Court of the United States. This tribunal held that "upon the facts stated in the plea in abatement, Dred Scott was not a citizen of Missouri within the meaning of the Constitution, and not entitled to sue in its Courts . . . that the Act of Congress which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line therein mentioned, is not warranted by the Constitution, and is therefore void, and that neither Dred Scott himself, nor any of his family, were made free by being carried into this territory; even if they had been carried there by the owner, with the intention of becoming a permanent resident. . . As Scott was a slave when taken into the State of Illinois by his owner, and was there held as such, and brought back in that character, his *status*, as free or slave, depended on the laws of Missouri, and not of Illinois." The decision upheld the whole contention of the slave states and was a heavy blow to the other side.

John W. Burgess, in his *The Middle Period*, has this to say of the result of the decision: "The slaveholders and the Douglas Democrats of the North were in high glee over the decision, and hardly stopped to read the powerful dissenting opinion which had shattered it to atoms. They caused thousands upon thousands of copies of the decision to be printed and distributed among the masses of the people. The Free-Soilers did the same thing with the opinion of Justice Curtis. It was not many weeks before it became entirely manifest that the cause of slavery had lost immensely in the decision, and the cause of free-soilism had gained in the same degree. Justice Curtis

433. Comments by Professor Burgess

had demonstrated that the decision had cast the responsibility for the further extension of slavery upon the nation, and the nation now began to show its resolution to meet its responsibility by acquitting itself of any participation in this great wrong, in the only manner now left to it, that is, by preventing it. The nation could no longer deceive itself with the idea that it could stand neutral. The Court had actually swept away the dogma of popular sovereignty in the Territories. The nation must now neither prohibit, nor allow the Territorial governments to prohibit, slavery within the territories, as the decision would have it, or the nation must itself prohibit it, as the dissenting opinion would have it."

434. Re-
newed
trouble in
Kansas —
1858

The use of United States troops to put an end to civil war in Kansas, and the excitement aroused by the Dred Scott case, had temporarily forced Kansas into the background. But it was only temporarily. Robert J. Walker, successor of Geary as governor in Kansas, issued a call for a constitutional convention, which met at Lecompton in September, 1857. The anti-slavery men refused to attend this convention, and the "pros" hastily submitted a constitution guaranteeing all property in slaves. The ballot which they offered was for "Constitution with slavery," or for "Constitution without slavery." In either case existing slave property was protected because every vote would be for the *constitution* of necessity. The "antis" stayed away from the polls and the "pros" won overwhelmingly (December 21, 1857). A few days later the antis submitted their Topeka Constitution with ballots as follows: "Constitution with slavery," "Constitution with no slavery," "Constitution." This time the "pros" stayed away from the polls, and the "antis" won overwhelmingly, the vote against the constitution being more than 10,000. President Buchanan favored the organization of Kansas under the Lecompton Constitution and, over the protest of Douglas and the Republicans, urged a bill looking to that end through the Senate. The House, however, blocked the president's plans but agreed to re-submit the constitution to the people of Kansas. It was

rejected a second time (1858) by a vote of more than five to one, and the territory was not admitted as a state until 1861.

The questions were thoroughly discussed and the lines drawn in Illinois in 1858, when Stephen A. Douglas, the ablest of the Western and Northern Democrats, sought reelection to the Senate. The Republicans had found a new and powerful champion in the person of their coming greatest leader, Abraham Lincoln. Lincoln and Douglas, in a series of debates, attracted the attention of the entire country as they drew the clearest lines of cleavage between the parties. The issue between them was the seat of sovereignty over the territories. Douglas advocated the doctrine of popular or "squatter" sovereignty. That is, he defended the proposition that the people of a territory had the right to settle for themselves the question of slavery in that territory. Lincoln took the ground that that matter rested properly in the hands of Congress; that Congress, having created the territory, should certainly have at least final jurisdiction over all questions of organization. Should the child control the parent?

436. The Lincoln and Douglas debates — 1858

Lincoln lost the election to the Senate, but his speeches gave him the Republican nomination for the presidency, and thus made his election to that office a possibility. Said he: "A house divided against itself cannot stand. I do not expect it to fall, but I do expect it to cease to be divided. It must be all slave or all free." Mr. Lincoln seems to have been the first to reach that advanced position, when all parties were seeking compromises and postponements.

President Buchanan sent a message to Congress, December 6, 1858, urging steps toward the annexation of Cuba, and the establishment of a protectorate over "the dissolving Mexican republics that lay nearest her borders." Anticipating President Roosevelt by fifty years, he also urged Congress "to make good the rights of the United States on the Isthmus (Panama) against Nicaragua and Costa Rica."

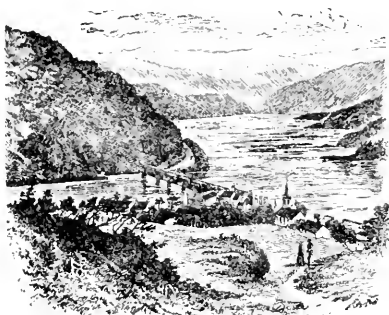
436. Annexation of Cuba urged

In 1859, John Brown, a native of Connecticut, who, with his four sons, had gone from Ohio to Kansas to aid in the destruction

437. The Harper's

Ferry in-
surrection
— 1859

of slavery in that territory, enlarged the scope of his insane ambition to include the freedom of the negroes throughout the South by inciting a general uprising among them. With twenty like-minded fanatics, he seized a small arsenal at Harper's Ferry on the Potomac in Virginia, hoping to free all the negroes in the country, arrest their masters, and flee to the mountains from which he would sally again in a short while in the light of the fires which his bold deed would kindle. Following his plans,



HARPER'S FERRY IN 1859

he invaded the surrounding farms, took thirty or forty slaves, and had them in practical captivity, until he himself was captured by United States marines. The most of his party were slain. He was tried and condemned to death in the courts of Virginia, on December 2, 1859, forty-six days after his attack at Harper's Ferry. "His pa-

tient, dignified bearing" in his imprisonment and trial, and his resigned acceptance of his fate, indicate a man whose consuming idea had rendered him insane, or, according to some, a man whose consecration to the accomplishment of a great purpose had given him the self-forgetfulness of a true patriot or a Christian martyr.

Brown's raid acted like the touch of a match to a powder house. The South had good reason to believe that anti-slavery men furnished the money and arms for the undertaking, and when men at the North, like Theodore Parker and Ralph Waldo Emerson, praised Brown as a martyr to the sacred cause of liberty, the South felt that the demons of rapine and plunder had been turned loose upon her homes, and that too by men who should have understood better the peculiar dangers which threatened her civilization.

The platforms of all the political parties had reference to the question of slavery, which had now become acute. In the nominating conventions of 1860, pathetic appeals were made to men to forget the negro and save the Union. But men were enraged, and trouble was imminent. On questions concerning the effects of the Dred Scott decision, the Democrats divided into two sections. The Northern wing nominated the redoubtable Douglas, who held that each state and the Supreme Court must settle the slavery question. The Southern wing nominated vice-president John C. Breckinridge, who asserted the right of slaveholders to take their slaves into the territories under protection of specific laws. A new party, heir of the Know-Nothings, came into existence, called the Constitutional Union party, whose platform was "The Constitution, the union of states, and the enforcement of law." This party nominated John Bell of Tennessee for president. The Republicans met in Chicago, May 16, and, passing over Seward and Chase, the national leaders, nominated Abraham Lincoln of Illinois, who had given a good account of himself in the famous debates with the foremost Democrat of the nation. Lincoln received 1,866,452 votes, 481,295 more than Douglas received, but less than half the total vote cast, which was 4,690,193. While Mr. Lincoln received 180 electoral votes against 123 for Douglas, Bell, and Breckinridge, he had not received a popular majority. Though his platform demanded the restriction of slavery to the territory it then occupied, yet the Republicans recognized the constitutional rights of the states to maintain the institution, and really the Democrats had not lost by very great odds and were in position to keep up the old fight in Congress. Lincoln was a minority president and the Republicans did not have a majority in either house of Congress. The parliamentary struggle might have been continued indefinitely; for to overthrow slavery where it already existed would have required an amendment to the Constitution of the United States. But the South was tired of the eternal question and held the doctrine of the state's right to secede.

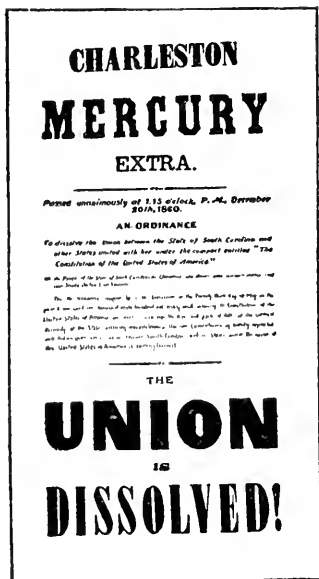
438. Campaign of 1860; election of Lincoln

SECESSION

439. South
Carolina
secedes,
December,
1860

Though the contention of the South was historically and constitutionally correct, yet times had changed, and conditions in the South prevented a corresponding change. The growth of a population, energetic, enterprising, and efficient, that had brought the nation to a consciousness of itself, had been North, East, and West. The South, proud and self-sufficient, had not invited progress or immigration. The Union, long sectionalized

socially and economically, had become sectionalized politically, as a necessary result. Conditions had become logically and vitally intolerable and impossible. The threat to resort to secession, rather than remain a party to a union wherein discordant interests strove always for mastery, and obligations to organic law must be set aside when private opinion clashed with such obligation, proved to be a fair warning. The election of Lincoln convinced the Southern people "that they were to be deprived in the Union of the rights which their fathers bequeathed them."¹



A CHARLESTON BROADSIDE

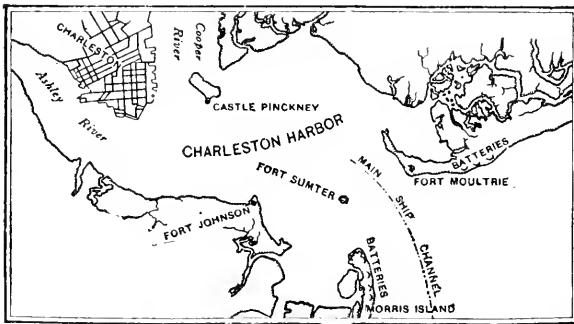
Anticipating the result of the election, the South Carolina legislature remained in session until it learned of Lincoln's success, and then called a state convention, which met at Columbia, December 17, 1860, and adjourned at once to Charleston, where on December 20 it passed a "Secession Ordinance" declaring that "the Union now subsisting between South

¹ Jefferson Davis, in speech of resignation in U. S. Senate, 1861.

Carolina and the other states under the name of the United States, is hereby dissolved." The result was received with great rejoicing, and in her sister states of the South there began preparation to prove unbounded sympathy by vigorous co-operation.

On December 22, the South Carolina convention appointed three commissioners, "to proceed to Washington, authorized and empowered to treat with the Government of the United States for the delivery of the forts, magazines, light-houses, and other real estate, with their appurtenances, within the limits

440. The South Carolina commissioners



SKETCH-MAP OF FORTS IN CHARLESTON HARBOR

of South Carolina; and also for an apportionment of the public debt and for a division of all other property held by the Government of the United States as agent of the confederated states, of which South Carolina was recently a member; and, generally, to negotiate as to all other measures and arrangements proper to be made and adopted in the existing relations of the parties, and for the continuance of peace and amity between this Commonwealth and the Government at Washington."

Old Fort Moultrie, on Sullivan's Island, commanding the entrance to Charleston harbor, was garrisoned by two small companies of artillery under Major Robert Anderson of the United States army. Out in the water, upon a shoal some eighteen hundred yards southwestward, stood Fort Sumter, as

441. Occupation of Fort Sumter, December 26

yet unfinished, a polygon of masonry with walls defensible by a small force, and with guns that could dominate harbor and city. It was a much stronger position than Moultrie, which could easily be surprised on the land side; so Major Anderson, on the evening of December 26, spiked the guns of Fort Moultrie and quietly transferred the garrison and stores to the new fort, which he at once began to strengthen.

442. Preparation for war; the "Star of the West," January 9, 1861

Events followed rapidly. On the 27th, the governor of South Carolina demanded that Major Anderson evacuate Fort Sumter and reoccupy Fort Moultrie, but Major Anderson replied that he had been assigned to the defense of Charleston harbor, and intended to defend it. On the same day the palmetto flag was hoisted upon the custom-house, and South Carolina forces took possession of Fort Moultrie, and also of Castle Pinckney, a small fort nearer the city. On the 28th the three South Carolina commissioners, now in Washington, addressed a letter to the president of the United States, transmitting a copy of their powers for treating with the government at Washington, furnishing an official copy of the ordinance of secession of South Carolina, but declaring in substance that the action of Major Anderson in dismantling one fort and occupying another forced the said commissioners to suspend all discussion as to any arrangements for an amicable adjustment, and urging upon the president the immediate withdrawal of the troops from the harbor of Charleston. On the 29th, the United States arsenal in Charleston was surrendered to South Carolina forces acting under orders of Governor Pickens. On the 30th, General Winfield Scott, commander-in-chief of the United States army, requested of President Buchanan the permission, "without reference to the War Department and otherwise as secretly as possible, to send two hundred and fifty recruits from New York harbor to reinforce Fort Sumter, together with some extra muskets or rifles, ammunition, and subsistence stores." On January 1, 1861, volunteer troops of the state began to pour into Charleston. On the 5th there sailed from New York the steamer *Star of the West*, bearing troops and provisions for the

relief of Fort Sumter. At midnight of the 8th the *Star of the West* arrived off Charleston harbor; and on the 9th, while she was attempting to make Fort Sumter, was fired upon by a South Carolina battery, and was forced to turn about and put to sea.

Meantime, United States senators from Georgia, Alabama, Louisiana, Arkansas, Texas, Mississippi, and Florida met (Jan. 5) and passed resolutions to the effect that in their judgment

443. A new
Confeder-
acy pro-
jected



CHARLESTON IN 1861
Looking across Cooper river

each of the Southern states should, as soon as possible, secede from the Union and provide for a convention to be held in Montgomery, Alabama, not later than February 15, for the purpose of forming a confederacy. In giving this advice the Senators barely anticipated the action of some of the states involved, and barely echoed the invitation which the South Carolina convention had already sent to her sister Southern states—an invitation to send delegates to meet in a congress in Montgomery on February 4, to form a confederacy.

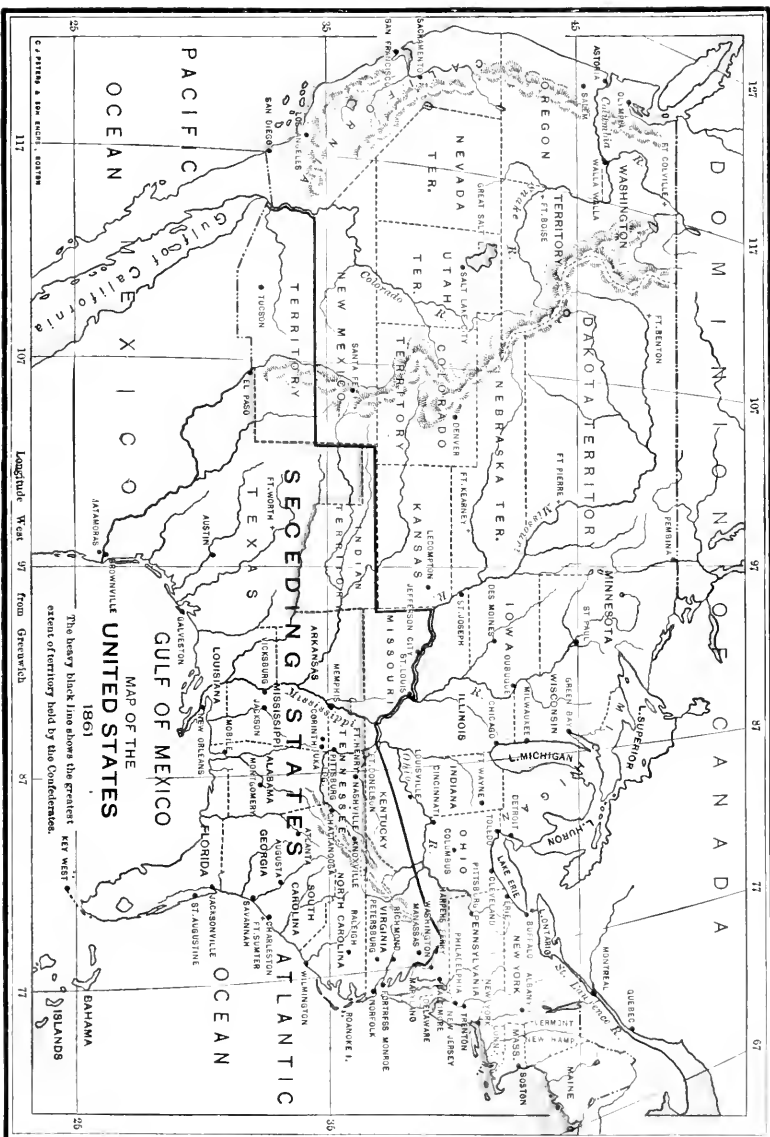
While these events were occurring in the South, great effort was being made to save the Union by compromise. Mr. Crittenden of Kentucky introduced in the United States Senate

444. The
Crittenden
resolutions

a series of resolutions which would make the Missouri Compromise line of $36^{\circ} 30'$ the boundary between the slave and the free states as far west as California—and as the Supreme Court in the Dred Scott case had decided that “slavery could not be prohibited in any of the Territories by act of Congress, he presented his proposition of compromise in the form of a constitutional amendment” to be submitted to the states. There were many petitions to Congress favoring this compromise amendment, and Southern senators, Mr. Davis and Mr. Toombs among them, together with the conservative Northern senators, greatly desired to see Mr. Crittenden’s measure prevail; and it was because they speedily foresaw, from the disposition manifested by the Northern extremists, that the bill would fail of passage, that these Southern senators united in advising their states to withdraw from the Union as already related.

**445. The
failure of
the Peace
Conference**

On January 29 Virginia invited all the other states to send delegates to a Peace Congress, or Convention, which held its sessions in Washington during almost the entire month of February. At this convention more than twenty states were represented. Its presiding officer was ex-President John Tyler, and among its members were many men already celebrated and others to become so. Mr. Salmon P. Chase, within a few days to be appointed secretary of the treasury by Mr. Lincoln, in a notable speech practically acknowledged that the Northern Republicans found it impossible to obey the Constitution in the matter of the fugitive slave laws; he said, in effect, that the South was immoral in contending for slavery, and that the North was compelled to act unlawfully or to admit conscious culpability. He went so far as to suggest that the South should be repaid for the loss of fugitive slaves, not by “rendition” of the slaves themselves, but by compensating the owners, apparently unconscious that his language carried a strong implication that for his own state he preferred secession rather than a toleration of partnership in iniquity. “The proposition to pay for the dereliction of duty on the part of faithless confederates out of the Federal treasury amounted to an offer to increase the



The heavy black line shows the greatest extent of territory held by the Confederates.

MAP OF THE UNITED STATES 1861

KEY

WEST

Longitude West 97 From Greenwich

117

107

97

87

77

127

117

107

97

87

77

67

wrong. In that way the people of the Southern states would have become equally burdened as those of the Northern with the taxes required to make good the shortcomings of the latter. No good came of the Peace Congress. Its results rather widened than healed the sectional breach." Still, the efforts did not cease. On February 28 the secretary of war informed Major Anderson that the Peace Convention had agreed upon a basis of settlement of political difficulties which had been reported to Congress, and that he entertained hope that nothing hostile would now occur.

But Congress rejected, by a large majority vote, the plan which the Peace Convention had agreed upon.

After the failure of the *Star of the West* expedition, President Buchanan made no effort to relieve Fort Sumter. Probably no written agreement was ever made, yet it was generally understood that neither the government of the United States nor that of South Carolina would commit any act of hostility;¹ and a state of tacit armistice was generally accepted as existing for the remainder of President Buchanan's administration. Nevertheless, as other states, one by one, went out of the old Union, each of them took possession of the United States property, and occupied such forts as were within her borders. Near Pensacola, Florida, however, the officer in command of the few United States troops transferred them to Fort Pickens on Santa Rosa Island, and this fort remained permanently in possession of the United States forces.

Conventions of the people of the respective states passed ordinances of secession in the following order: January 9, ^{446.} Buchanan's policy ^{447.} Secession of six states

¹ Governor Moore of Alabama says: "I have had a conference with Senator Mallory of Florida and Senator Fitzpatrick of Alabama . . . in which they informed me that they and Senator Slidell had a personal interview with the President and Secretary of the Navy, and were assured by them that no attack would be made upon Fort Sumter and Fort Pickens, or any excuse given for the shedding of blood, during the present administration." O. R., I, 446.

General Bragg says: "They have placed an engineer officer in Fort Pickens in violation, as I conceive, of the agreement not to reënforce. I do not hesitate to believe we are entirely absolved from all obligations under the agreement of 29th January." O. R., I, 457.

Mississippi; January 10, Florida; January 11, Alabama; January 19, Georgia; January 26, Louisiana; February 1, Texas. Each of these states appointed delegates, in number equal to its representatives and senators in Congress, to meet in Montgomery, Alabama, on February 4, for the purpose of forming a new federal government based upon the terms of the Constitution of the United States, and, almost without exception, the representatives and senators from the seceding states withdrew from the federal Congress in which they felt they were no longer entitled to sit. So, too, Southern officers of the army and navy of the United States resigned their commissions and offered their services to their native states.

THE CONFEDERATE STATES

448. Formation of the Confederate States; February, 1861

On February 4, 1861, the day of the assembling of the Peace Convention at Washington, the delegates of six Southern states¹ met at Montgomery, Alabama, and, according to instructions from their respective states, proceeded to form a government for a new Union. This Congress, like the Continental Congress of 1775-1790, was composed of but one House; it elected Howell Cobb, former speaker of the House of Representatives of the United States, president of the Congress, and immediately began to frame a Constitution for the Provisional Government of the Confederate States of America. On the 8th, a provisional constitution, creating a government for one year, was adopted by a unanimous vote; and also by unanimous vote on February 9, the Congress elected for one year, Jefferson Davis of Mississippi, president, and Alexander H. Stephens of Georgia, vice-president, of the Confederate States of America. Mr. Davis was inaugurated on February 18. Meanwhile, the Congress had been framing a Constitution for a permanent government, which, after being ratified by the conventions of five states or more, should take effect in the

¹ Texas had passed an ordinance of secession and it had been referred back to the people for ratification in an election to be held February 23. Her delegates took their seats in the Confederate Congress on March 2.

states so ratifying on February 22, 1862. The permanent Constitution also received the unanimous vote of the Congress on March 11, 1861, seven states now composing the Confederacy.

The instrument followed, in general, the form of the United States Constitution, but differed from it in a few important provisions, as follows:

449. The Confederate Constitution

In the preamble were inserted the words, "each state acting in its sovereign and independent character."

The president and vice-president should hold their offices for a term of six years, and the president should not be reëligible.

No duties or taxes on importations from foreign nations should be laid to promote or foster any branch of industry. And there should be no tax or duty laid on articles exported from any state, except by a vote of two-thirds of both Houses.

Importation of negro slaves was forbidden from all foreign countries except the slaveholding states of the United States.

In all new territory acquired, the "institution of Negro slavery as it now exists in the Confederate States" should be recognized and protected by Congress and by the territorial governments.

Fugitive slaves should be delivered upon claim of the owner; and owners of slaves should have the right to take their slaves into any state of the Confederacy.

Congress should have no power to appropriate money for any internal improvement intended to facilitate commerce, except in the matter of aid to navigation upon the coasts, and the improvement of harbors, and the removing of obstructions in river navigation, in which cases a duty sufficient to pay the cost should be laid upon the navigation facilitated

On March 12 commissioners accredited by the government of the Confederate States had addressed a note to W. H. Seward, secretary of state of the United States, acquainting him with the fact of their presence in Washington and of their purpose to seek amicable adjustment of all questions growing out of the political separation, and asking him to appoint as early a day as possible in order that they might present to the president

450. The Confederate Commissioners to the United States

of the United States the credentials which they bore and the mission with which they were charged. This note had been answered indirectly by Mr. Seward in a memorandum, dated March 15 (though it was not delivered to the commissioners until April 8),¹ in which he refused to receive the commissioners officially, submitted a copy of Mr. Lincoln's inaugural address to the consideration of the Confederate commissioners, and styled the Confederacy "not a rightful and accomplished revolution and an independent Nation with an established Government, but rather a perversion of a temporary and partisan excitement to the inconsiderate purpose of an unjustifiable and unconstitutional aggression upon the rights and the authority vested in the Federal Government."

SUMMARY

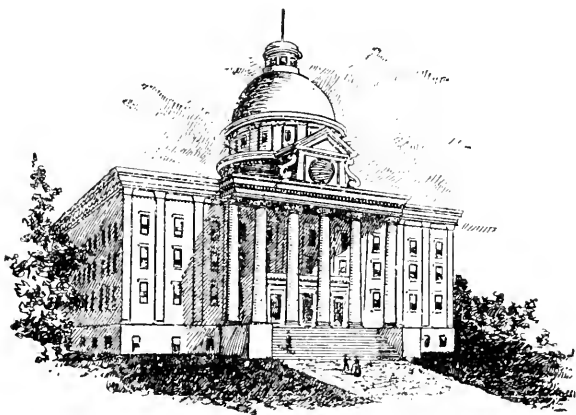
The decade from 1850 to 1860 was the most stormy that had ever confronted the American nation. Slavery would not down. Every public question was viewed through colored spectacles. Pro-slavery men tried to favor the interests of their "peculiar" institution by the passage of the Kansas-Nebraska bill, and the attempt to establish a pro-slavery constitution in Kansas. The anti-slavery men took forcible possession of Kansas, defeated the pro-slavery constitution, and tried to test the courts of the country in the Dred Scott case. The offensive attitude of the North in these matters greatly aroused the worst feelings at the South and drew more clearly than ever before a line of demarcation between Northern and Southern interests. The issues were still more clearly drawn in the Lincoln-Douglas debates which also defeated Douglas two years later for the presidential nomination of his party, and at the same time secured for Lincoln the Republican nomination for the presidency in 1860.

In 1859, John Brown, a fanatic, who believed he held a commission from God, made his notorious raid in Virginia, aided and abetted all the while by radical abolitionists at the North. Sectional fires burned hotter as a result, and passed the point of endurance in the presidential election of 1860. Lincoln was elected, and seven Southern states seceded and formed a new union.

¹ The delivery of this memorandum to the commissioners was delayed so long because of their willingness to exhaust every means at their disposal before confessing the failure of their mission. Evidently they knew the tenor of the memorandum, but until it was actually sent to them by Mr. Seward, they were not openly and officially rejected. See Sec. 454.

REVIEW QUESTIONS

1. What circumstances led to the introduction of the Kansas-Nebraska bill?
2. Why did the friends of the measure seek to apply to the Nebraska region the doctrine of "squatter sovereignty"?
3. Why did the North oppose this measure?
4. By what former legislation did the friends and opponents respectively of the Kansas-Nebraska bill justify their positions?
5. What effect did this measure have upon the slavery issue?
6. Were pro- and anti-slavery people both to blame for the civil war in Kansas? Why?
7. Describe the beginning of the Republican party and tell why it should have arisen at this time.
8. What was the substance of the Dred Scott decision?
9. How did it affect the slavery issue?
10. What effect did the Lincoln-Douglas debates have upon the political career of each?
11. What is the chief historical importance of the John Brown raid?
12. What was the significance of the election of Abraham Lincoln in 1860?
13. What was the Ostend Manifesto?
14. If you had been a slave owner in western Missouri in 1855, how do you think you would have felt toward the Emigrant Aid Society?
15. If you had been an anti-slavery citizen of Illinois in 1855, what would you have thought of the "Border Ruffians"?
16. If Henry Clay had been alive in 1860, could he have averted armed conflict? Give reasons for your answer.



THE CAPITOL AT MONTGOMERY

CHAPTER XX

WAR BETWEEN THE STATES—1861

REFERENCES

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SOURCES. — *Official Records of the War*, vols. i-v; Appleton, *Annual Encyclopedia*, 1861; Stephens, *War Between the States*; Johnston, *Narrative, etc.*; Longstreet, *From Manassas to Appomattox*; Davis, *Rise and Fall of the Confederate States*.

ILLUSTRATIVE MATERIAL. — Churchill, *The Crisis*.

WAR POLICY OF LINCOLN

451. Inaug-
uration of
Lincoln;
Captain
Fox

On March 4, 1861, Abraham Lincoln had been inaugurated president of the United States. On March 15, President Lincoln, in writing, inquired of the secretary of war as follows: "Assuming it to be possible to now provision Fort Sumter, under all the circumstances is it wise to attempt it?" In reply, the secretary referred to a proposition formerly presented by "Mr. Fox," but advised the president that the time had passed for the relief of the fort without too great expenditure of men and means. There was, however, a council held, at which were present the president and his cabinet, General Scott, Commodore Stringham, "Mr. Fox," and General Totten, chief-of-engineers. In the deliberations written opinions were read from the officers in Fort Sumter, all of whom gave large estimates of the naval and military force necessary for the attempt.

On March 19, President Lincoln applied to General Scott for a competent person as a messenger to secure accurate information in regard to the command of Major Anderson in Fort Sumter; General Scott selected Captain Fox, and the selection was approved by the president. Captain Fox at once left Washington for Charleston.

On March 4, after hearing President Lincoln's inaugural address, Senator Louis T. Wigfall of Texas telegraphed Governor Pickens of South Carolina that Mr. Lincoln meant war, and that there was strong ground for believing that reinforcements would speedily be sent to Fort Sumter. Two days later Brigadier-general G. T. Beauregard, of the Confederate States army, assumed command of all the troops on duty in and near Charleston harbor, and began to organize the forces at his disposal into a system for the investment of the fort. Still, notwithstanding the warlike preparations on both sides, merchant vessels from the North as well as from other parts of the world, landed or loaded their cargoes at the wharves of Charleston; the telegraph line was in service between Charleston and the Northern cities; railway trains ran as usual or nearly so; and the Confederates allowed Major Anderson's command to receive fresh meats and vegetables from the Charleston markets every forty-eight hours, as well as daily mails from the North. Major Anderson's lines of communication with Washington were still open, and until April 1 he was in constant expectation of receiving orders to vacate the post. In fact, so impressed was he that his government intended only pacific measures, that he wrote, on March 29, to General Beauregard "trusting that in a few days the position would be more agreeable to both of us," and Beauregard replied in the same friendly way, concluding with "I am, dear Major, yours very truly." Even as late as April 3, Chief-of-engineers Totten addressed a communication to the secretary of war of the United States, in which he argued for the evacuation of Fort Sumter, and closed his recommendation with the prophetic utterance, "If we do not evacuate Fort Sumter, it will be wrested from us by force." Of the two alternatives thus presented, Mr. Lincoln, in the end, deliberately chose the latter.

Pursuant to the order of Mr. Lincoln, Captain G. W. Fox proceeded by rail to Charleston; arriving there on March 21, he sought Governor Pickens, and, after pledging pacific intentions, was granted an interview with Major Anderson.

452. Beau-
regard
before
Sumter

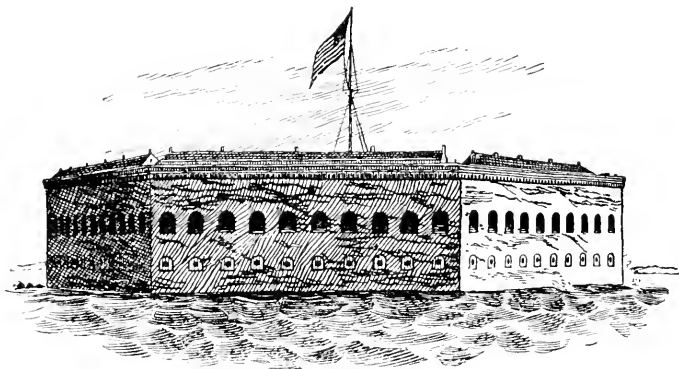
453. Cap-
tain Fox;
Colonel
Lamon

His guaranty and escort to the fort was Captain Hartstene, now in the Confederate service, formerly of the United States navy. After a confidential interview at night with Major Anderson, the messenger left immediately for Washington. Captain Fox had not produced upon Major Anderson's mind the impression that an attempt would be made forcibly to relieve the fort. Again, on March 25, at about 2 o'clock P.M., a messenger from the president of the United States arrived in Fort Sumter, escorted by Colonel Duryea of Governor Pickens's staff. This messenger, Colonel Ward H. Lamon, deepened the impression upon the minds of the Confederates and Federals alike that the fort was to be speedily evacuated. On the day following his departure, General Beauregard wrote to the secretary of war at Montgomery: "Mr. Lamon left here last night, saying that Major Anderson and command would soon be withdrawn from Fort Sumter in a satisfactory manner." Still, the war department at Montgomery, advised by friends in Washington, suspected that at the last moment Mr. Lincoln would decide to use force.

454. The
commis-
sioners;
Judge
Campbell

April 2, the commissioners, still in Washington, telegraphed the Confederate secretary of state: "The war wing presses on the president; he vibrates to that side. . . Their form of notice to us may be that of the coward, who gives it when he strikes," and on the same day the Confederate secretary of war wrote to General Beauregard: "The Government has at no time placed any reliance on assurances by the Government at Washington in respect to the evacuation of Fort Sumter." He instructed General Beauregard to notify Major Anderson that all communication between city and fort was inhibited — adding for the general's information that the withdrawal of the commissioners from Washington might occur at any moment. But still the commissioners remained at their posts; they telegraphed on the third, on the fifth, on the sixth, more and more news of warlike preparation. To further their mission, they had enlisted the good offices of Justice John A. Campbell, of the Supreme Court of the United States. Judge Campbell was

an Alabamian and was an acceptable intermediary to Mr. Seward, who very early had decided that he could not directly grant the commissioners the recognition they desired, and had also decided to gain time—the policy of his government not having been settled upon. On March 15, Judge Campbell had left with Commissioner Crawford a note which read in part: “I feel entire confidence that Fort Sumter will be evacuated in the next ten days.” Five days later Judge Campbell had called on Mr. Seward, bringing a telegram from General Beauregard to the effect that Fort Sumter was not evacuated,



FORT SUMTER BEFORE THE BOMBARDMENT

and that Major Anderson was at work making repairs. The next day, March 21, after a conference with Mr. Seward, Judge Campbell had written to Commissioner Crawford that “the failure to evacuate Sumter was not the result of bad faith but was attributable to causes consistent with the intention to fulfil the engagement.” On March 30, Judge Campbell had left with Mr. Seward a telegram from Governor Pickens inquiring concerning Colonel Lamon, whose visit to Charleston he (the governor) supposed had a connection with the proposed evacuation of Fort Sumter. Judge Campbell was to receive Mr. Seward’s reply on April 1. On the first of April Mr. Seward had written Judge Campbell as follows: “I am sat-

isied the Government will not undertake to supply Fort Sumter without giving notice to Governor Pickens." And when Judge Campbell, on April 7, saw that warlike preparations were being forwarded by the government, and asked in writing if the assurance he had given the Confederate authorities were not well founded, Mr. Seward answered, "Faith as to Sumter fully kept; wait and see."

BEGINNING OF WAR

455. Mr.
Lincoln's
notification

On the eighth of April, Mr. Robert S. Chew, a messenger from the department of state at Washington, handed to Governor Pickens and General Beauregard the following note: "I am directed by the President of the United States to notify you to expect an attempt will be made to supply Fort Sumter with provisions only, and that if such attempt be not resisted no effort to throw in men, arms, or ammunition will be made without further notice, or in case of an attack upon the fort."

On the same day Major Anderson wrote to the adjutant-general at Washington: "A movement made now, when the South has been erroneously informed that none such will be attempted, would produce most disastrous results throughout our country. It is, of course, now too late for me to give any advice in reference to the proposed scheme of Captain Fox. I fear that its results will be disastrous to all concerned. . . I ought to have been informed that this expedition was to come. Colonel Lamon's remark convinced me that the idea, merely hinted at to me by Captain Fox, would not be carried out. . . My heart is not in the war which I see to be thus commenced."

456. Con-
federates
seize official
mails

April 9, the Confederate secretary of war telegraphed General Beauregard: "Major Anderson's mail must be stopped. The fort must be completely isolated."

The order was obeyed, and the letters from the fort marked "*official*" were sent to the Confederate government. On this point Governor Pickens wrote to President Davis as follows: "Rumors well established, indicated that Mr. Fox had violated his faith to me in visiting the fort, under guaranty of Captain

Hartstene, who went with him. The pledge was that he visited Major Anderson by authority, for pacific purposes entirely. You see that the present scheme for supplying the fort is Mr. Fox's."

On the night of April 11, Beauregard demanded the evacuation of Fort Sumter, which was refused. At 4:30 A.M. on the twelfth, the Confederate batteries opened fire. Sumter was silent until 7 o'clock, when she returned the fire. After a bombardment of thirty-three hours, the barracks of the fort being in flames, Major Anderson surrendered, and was allowed to vacate the fort, carrying all personal property, and saluting the flag. During the bombardment, a Federal fleet could be distinctly seen standing off the bar—an expedition under Captain Fox sent by President Lincoln for the relief of Sumter.

457. Bombardment of Sumter



JEFFERSON DAVIS

The fleet returned to New York, carrying the garrison.

The war was on. President Lincoln had had his way. Whether he had hesitated, as a ruler well may pause and consider when confronted with some tremendous but delicate question of war or peace; whether the result was but the outcome of well-wrought policy of his own initiative, he builded wiser than he knew. Had he been gifted with prophetic vision, he could hardly have arranged for the first act of hostility to benefit his cause more greatly in case that cause required war. Major Anderson at once became a popular hero; on landing at New York he was met by an immense multitude; his men were seized upon by the crowds and paraded through streets upon shoulders proud to bear them; and the bells of the city were pealing ardent devotion to the cause of the North. The war policy of Mr. Lincoln had triumphed. Anderson was

458. The influence of Sumter

made a major-general, and Fox became assistant secretary of the navy.

459. Preparation for war; the Baltimore riot

Both governments began to prepare for war — but not for such a war as followed. On April 15, Mr. Lincoln called for 75,000 volunteers for three months; and militia were rapidly put in movement toward the capital and toward camps of instruction. The Sixth Massachusetts regiment, on April 19, while passing through the streets of Baltimore, changing from one railroad to another in order to reach Washington, was attacked by a mob and men were killed.¹

460. The South's lack of arms; Mr. Stephens

President Davis also called for volunteers; and in answer to this call, 360,000 men, according to the secretary of war, offered their services. How could they be armed? General McCulloch of Texas wrote that some of his command were using single-barrel shot-guns. Neither in the North nor in the South was there a general belief that there would be a long war. Mr. Davis, in May, sent an agent to England to purchase 10,000 Enfield rifles. They were brought over in November.

But for the seizure of munitions in United States forts and arsenals, the Confederacy would have been practically unarmed and helpless; even with these, and the arms purchased in England, her troops were at a disadvantage, increased rapidly and enormously in the last years of the war by the manufacture of the repeating rifle with which the Union regiments were being armed. The North had armories, and the South none, but the South had cottonfields. Mr. Stephens urged upon Congress the strong financial policy of buying Southern cotton with Confederate bonds; it could have been bought at eight cents, and would have given the Confederacy strong credit in England; arms in plenty could have been bought.

461. Secession of four states

President Lincoln's call for troops to "suppress the combinations" existing in the Confederacy found small welcome in the Border states. Virginia seceded on April 17; North

¹ The riot in Baltimore was the occasion that inspired the well known battle lyric, "Maryland, My Maryland." Jas. R. Randall, the author, was a Marylander residing in Louisiana.

Carolina seceded on May 20, the eighty-sixth anniversary of the Mecklenburg Declaration of Independence (218). On May 6 the convention of Arkansas passed an Ordinance of Secession, only one delegate voting against it; and on May 6, the legislature of Tennessee voted to submit an Ordinance of Secession to the people, and on June 8 the people voted for secession by more than two-thirds majority.

The power of the United States, however, had been and still was exerted mainly in efforts to save the states of Maryland, Kentucky, and Missouri to the Union. In May the Maryland legislature refused to pass a secession ordinance; and no convention was called for such purpose. Many volunteers from Maryland, however, served in the Confederate armies. As to Kentucky and Missouri, both states endeavored to maintain "neutrality"; in the end they were occupied by Union forces, and the full voice of the people was never spoken. There resulted in Missouri a provisional state government, sustained by Federal force, opposed to the regularly elected administration which was largely for separation. The regular legislature made an alliance or convention with the Confederate States, and the state was recognized as a member of the Confederacy, always, however, under the protest of the opposing faction. A very similar condition resulted in Kentucky; Federal force was employed to prevent the scales from turning in favor of secession. In the midst of a condition of excitement and violence in the state, a convention was called to meet at Russellville, a place not yet occupied by the United States forces. The convention met and adopted a Declaration of Independence, resorting to revolution rather than secession. Commissioners were appointed to effect an alliance with the Confederate States, and Kentucky was admitted in December, 1861. In both states, Kentucky and Missouri, civil war existed, and continued long. In the Confederate service there were regiments from these states, but they were few in contrast to those in the Federal armies. An example of the discord in the Border states is shown in the fact that George B. Crittenden of

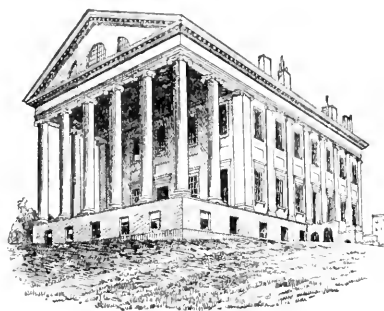
462. The
Border
states held
in the
Union

Kentucky, son of United States Senator Crittenden, became a major-general in the Confederate army, while his brother, Thomas L. Crittenden, became a major-general in the Federal army.

FEDERAL ADVANCE INTO VIRGINIA

463. Occu-
pation of
Alexandria

Richmond had now become the Confederate capital, and troops were being assembled there; while Washington was rapidly becoming an armed and entrenched camp. Still there



CAPITOL AT RICHMOND

was no advance on either side until May 24, on which day a Federal regiment under command of Colonel Ellsworth occupied Alexandria, Virginia, capturing a few Confederate soldiers and some munitions of war. In this affair Colonel Ellsworth lost his life at the hands of a citizen. On the same day a division of the Fed-

eral army advanced and took position in Virginia some four miles southwestward, covering Washington.

464. West-
ern
Virginia;
McClellan

The people of western Virginia were opposed to secession. Before 1860, a movement had been begun looking to a separate state in the mountains, and now the secession of Virginia gave opportunity for the formation of a rival government, the head of which was gladly recognized by the Federal authorities in Washington as the lawful governor of Virginia.

About May 25, a few Confederate troops burnt some bridges on the Baltimore and Ohio railroad, and the Federal government ordered General George B. McClellan, commander of the Department of the West, with headquarters in Cincinnati, to take such measures as were necessary for the protection of the railroad, the line of communication between Washington and

the West. So McClellan promptly advanced, and after some small engagements brought to a very successful termination a campaign which had for its final results the creation of the state of West Virginia, and its admission into the Union (1863) with or without constitutional sanction.

In June, General Robert Patterson, in command of the Military Department of Pennsylvania, began an advance into Virginia, and crossed the Potomac July 2. His total force was about 14,000. Opposed to Patterson, and defending Harper's Ferry and the valley of the Shenandoah, was General Joseph E. Johnston in command of about 10,000 men. There were movements to and fro, and skirmishes. Johnston had already evacuated Harper's Ferry as indefensible, and taken position near Winchester; his force was called the Army of the Shenandoah.

By the middle of July the army covering Washington, under command of General Irvin McDowell, was about 35,000 strong, and the newspapers were clamoring for an advance upon Richmond. The successes of McClellan in western Virginia were cited to show what Union troops could do; enthusiasm was unbounded and the army must go forward.

Confronting McDowell within a day's march, the outposts of the armies almost in touch, was Beauregard, with about 20,000 men, headquarters at Manassas Junction, where the Manassas Gap railroad started westward toward its terminus at Strasburg in the Shenandoah valley, General Joe Johnston's field of operations. Beauregard's army was called the Army of the Potomac.

The Federal plan of campaign was excellent; and the Confederate plan for defense was not less so. McDowell could overthrow Beauregard unless Beauregard should be greatly reënforced, and the plan provided that he should not be reënforced. It was evident to the commanders on both sides that with Johnston and Patterson in the Valley hard at work on each other, Beauregard must retire before the Federal advance or fight at a great disadvantage. As yet, however, the Confederates could not know whether the first attack would fall

465. Opposing forces in the Shenandoah valley

466. McDowell and Beauregard; Johnston and Patterson

upon Beauregard or upon Johnston; so they considered two problems, the reënforcing of Johnston by Beauregard, and the reënforcing of Beauregard by Johnston.

467. Junction of Johnston with Beauregard

As early as July 1, General Scott, commander-in-chief, advised General Patterson of his hopes to move a column of about 35,000 men early the next week against Manassas; and on July 12, Scott telegraphed Patterson, "If not strong enough to beat the enemy next week, make demonstrations so as to detain him in the valley of Winchester." Patterson replied on the 14th, "To-morrow I advance; if an opportunity offers, I shall attack;" but on the 16th he wrote, "The term of service of a very large portion of this force will expire in a few days. Any active operations against Winchester cannot be thought of until they are replaced by three-years men," and on the next day, the 17th, wrote, "The term of service of eighteen regiments expires within seven days, commencing to-morrow," and desired to know if he must re-occupy Harper's Ferry or withdraw entirely. And on the 17th Scott telegraphed Patterson, "Do not let the enemy amuse you and delay you with a small force in front whilst he reënforces the Junction with his main body."

On the night of the 17th Beauregard's outposts were already falling back before the general advance of McDowell's army, and in the Valley, after midnight of the 17th, Johnston was straining every nerve to get away from Patterson's front without being followed, and move his whole force to the support of Beauregard. So the Army of the Shenandoah marched on the 18th toward Manassas Junction; and on the 18th Patterson wired Scott, "Shall I attack?"

General Johnston reached Manassas at noon on the 20th, with about half his force, the remainder of his infantry following on trains from Piedmont, to which point the whole army had marched on the 18th by passing through Ashby's Gap. Johnston, being Beauregard's senior in rank, now had command of all the Confederate forces, but deferred largely to Beauregard, in whose capacity he had full confidence. Johnston regarded

the arrival of the remainder of the Army of the Shenandoah during the night as certain, and Patterson's junction with McDowell on the 22d as probable; so it was determined to assume the offensive and attack McDowell before Patterson could come to his help.

Meantime, McDowell had formed an admirable plan of battle; he would move a heavy column, under Hunter and Heintzelman, in the night by a circuitous road to the west, cross Bull Run at a shallow ford about four miles above the Confederate left, and fall at sunrise upon Beauregard's weak and exposed flank, then advance rapidly down stream driving everything, while Tyler's division upon the north bank opposite Stone Bridge should open fire with its artillery at daybreak in order to divert the attention of Beauregard from the flanking column, and should cross Bull Run when the way was cleared and join in the general battle.

468.
McDowell's
advance;
Evans;
Bee;
Bartow;
Hampton;
the Stone-
wall brigade

The movement was begun at 2:30 A.M. on Sunday, July 21, but from poor arrangements the roads were blocked with inactive troops, delaying those ordered forward — so that it was past 9 o'clock when the head of the column reached the upper ford. Meantime, the division below, opposite Stone Bridge, had opened fire — not, however, at daybreak, but a little after 5 o'clock, and had continued to cannonade the Confederate position for an hour. Then skirmishers were thrown out, and there was musket firing across the Run. The Confederates holding the extreme left were not two full regiments under command of General Nathan G. Evans, who soon saw from clouds of dust rising on the road by which the Federal column was marching, that it was not the intention of the Federals to make a vigorous attack upon him, but that they were moving to envelop the whole Confederate left. Therefore, leaving his skirmishers to keep up a show in front of Tyler, he marched his main force to the left and took position on the road by which McDowell's turning column was now rapidly advancing upon him. Not yet was either Johnston or Beauregard aware how grave was the situation; their flank had been turned and a

thousand men under Evans were to meet the attack of ten thousand under McDowell. And Evans's men resisted, many dying there before Beauregard or Johnston knew what it was all about, and they were not quite overcome when General Bee's brigade and Colonel Bartow's brigade double-quickened to their help, while the Federals still came on, their long column spreading out in line of battle to overlap the audacious little force in front of them. And how these few brigades still resisted, let Beauregard tell in his own words: "For an hour did these stout-hearted men of the blended commands of Bee, Evans, and Bartow breast an unintermitting battle-storm, animated surely by something more than the ordinary courage of brave men under fire. It must have been indeed the inspiration of the cause and consciousness of the great stake at issue which thus nerved and animated one and all to stand unawed and unshrinking in such extremity."

By the time the constantly increasing Federals were beginning to bear back Evans, Bee, and Bartow, Hampton came to their support with his legion, losing heavily as he came. Then, as the mingled remnants of these four commands, with what was left of Imboden's battery, were falling back to a stronger position, Jackson's brigade came up to their help.

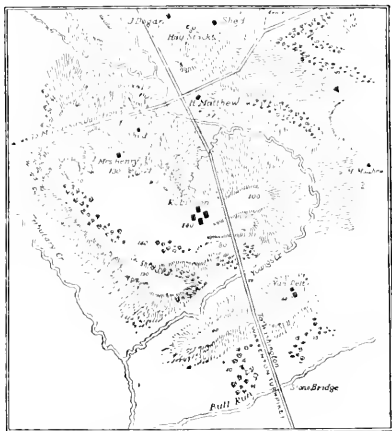
Let Beauregard tell it again, for both Beauregard and Johnston were now on the field, and Jackson would never tell it: "Every segment of line we succeeded in forming was again dissolved while another was being formed; more than two thousand men were shouting each some suggestion to his neighbor, their voices mingling with the noise of the shell bursting overhead, and all word of command drowned in the confusion and uproar. It was at this moment that General Bee used the famous expression, 'Look at Jackson's brigade! It stands there like a stone wall!' — a name that passed from the brigade to its immortal commander."¹

The Confederate troops were now in better position on the

¹ General Jackson always disclaimed the personal title "Stonewall," saying it belonged to his brigade, and not to him.

Henry house hill, and were being constantly reënforced; but the Federals continued to increase, and to advance. They had been strengthened by two brigades of the division of Tyler, which had crossed Bull Run as soon as it became evident that the entire force of the flanking column was engaged. And then followed a conflict indescribable. There was little generalship—the men fought. But the Federal soldiers of the main column had expended too much of their energy on the night march, and they wearied of the battle. They took positions and they lost them; they lost batteries and they retook them to lose again. General Bee had been killed; Colonel Bartow had been killed; and General Jackson had been wounded, yet did not leave the field. On the Federal side, also, the mortality had been great, and it was becoming evident

469. The general engagement



MANASSAS BATTLEFIELD

that though McDowell had outgeneraled the Confederates, he was not able to win the battle. And at 4 o'clock, the last brigade of the Army of the Shenandoah, which had reached the Junction at noon, marched upon the battlefield under the lead of Kirby Smith, and the day was decided. Kirby Smith fell wounded, but his brigade marched on, and the Federals began to yield. "At first the men quietly walked off. There was no special excitement except that arising from the frantic efforts of officers to stop men who paid little or no attention to anything that was said. McDowell and his staff, aided by other officers, made a desperate but futile effort to arrest the masses and form them into line." The men fell back, constantly becoming more and more disorganized, until a few shells from

the Confederates effected a panic, and the routed army fled to Washington.

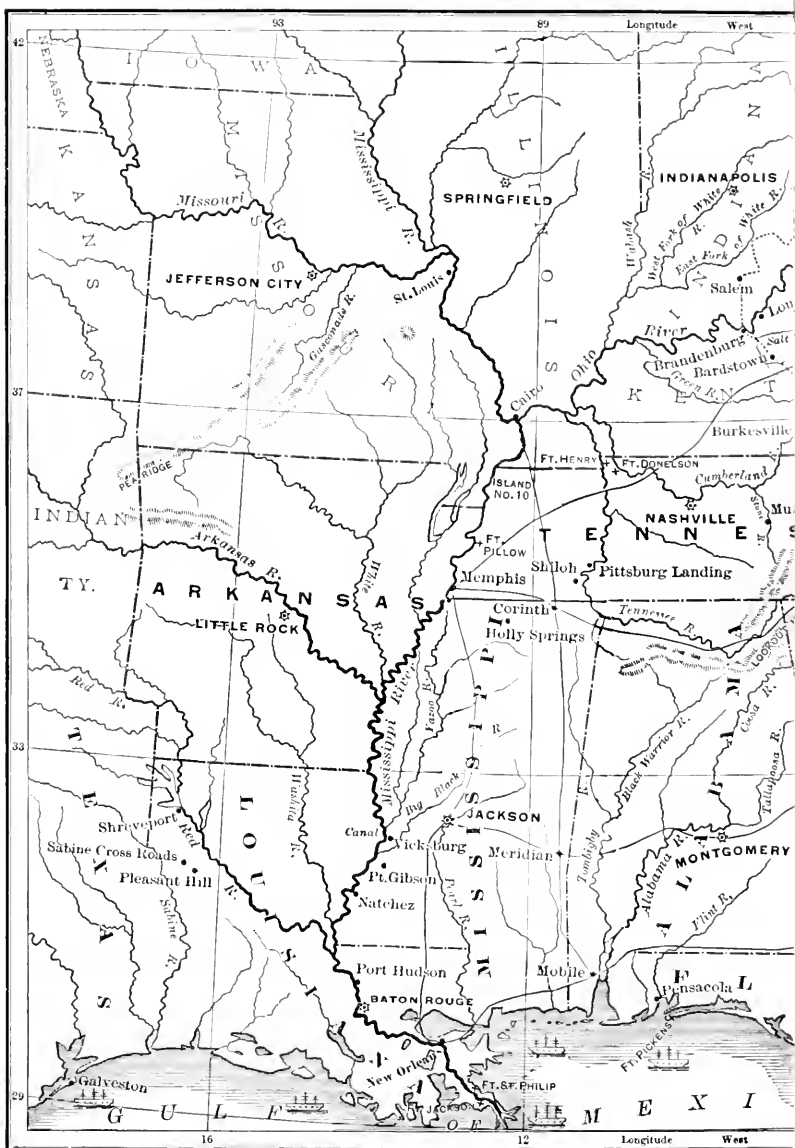
470. Effect
of the
battle

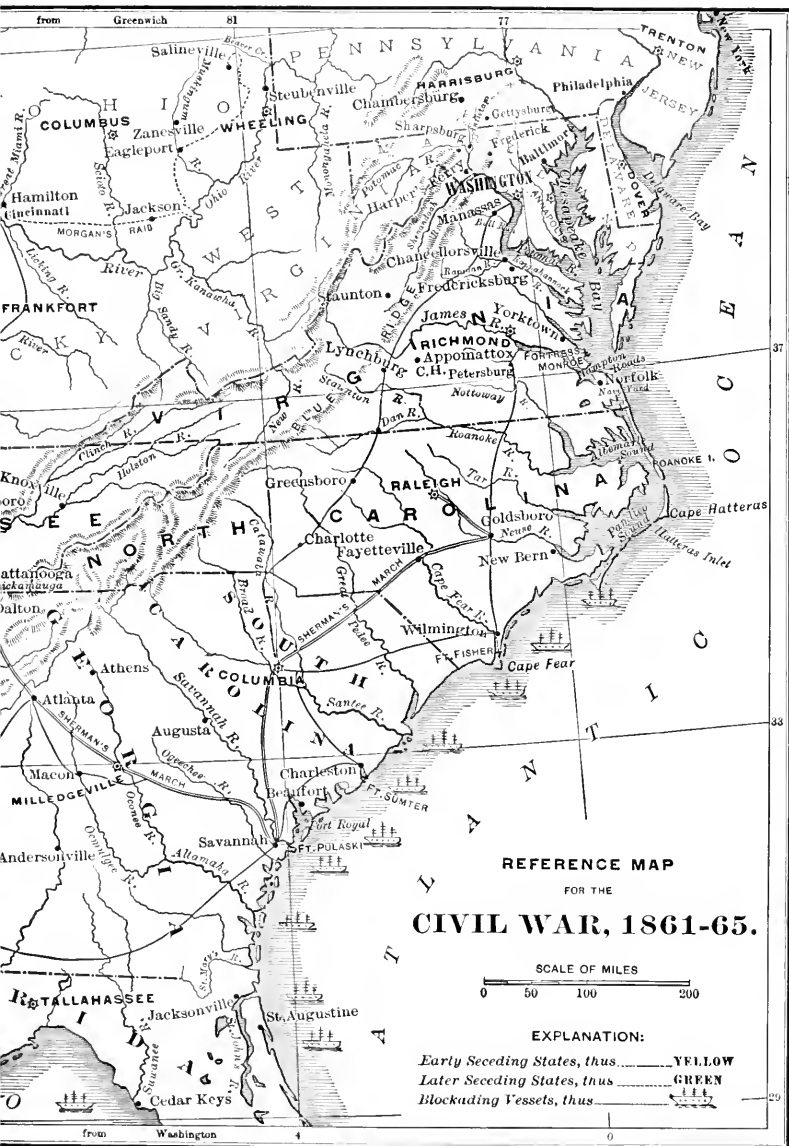
The battle of July 21, called Bull Run by the Federals, showed the North that a great war had just begun. Previously, many persons, even many leaders, had cheerfully entertained the opinion that the South would yield to a moderate degree of force; they had thought that her "political heresy" had not become a faith, but was intermixed with such devotion to the fathers as greatly to weaken her power and willingness to resist. But every shade of such opinion was swept from the public mind by the newspapers of July 22. Three months volunteers were a thing of the past. Congress — many members of which in carriages and otherwise had merrily followed McDowell's advance in order to see the show, and had helplessly increased the difficulties of his retreat — was willing to sustain President Lincoln in whatsoever he should demand; for Washington itself, the capital of the country, seemed in immediate peril.

Mr. Lincoln, on July 23, only one day after the defeated troops began to fill the streets of Washington, called McClellan to take the chief command of all the armies. General Scott, a hero of the War of 1812, was now almost eighty years old; he felt incapacitated for the arduous work of his office, and retired. General Patterson was superseded by General Banks. A great, almost desperate, activity speedily relieved the sudden fears for the capital; and then President Lincoln set about preparing for the gigantic task of reducing the Southern Confederacy. •

Congress had assembled in extra session on July 4. It approved all of Mr. Lincoln's acts; it called upon the states for 525,000 men, to serve for three years, and appropriated \$500,000,000 for the carrying on of the war.

In the Confederacy, however, the battle of Manassas, as it was called, went far, though only for a time, to cause undue elation, and an unwarranted hope of European recognition. The battle had certainly confirmed a *de facto* government for an indefinite time; while the North might well fear foreign







intervention, the South might as reasonably hope for it; and such condition did not, for the moment, add to the energy of the Confederate government or of the Southern people.

SUMMARY

The hesitation which had marked the conduct of the government ceased when Lincoln became president; and it was determined to relieve Fort Sumter by force if necessary. The Confederates, hoping for a peaceful separation and for an equitable division of the public property, refrained from actual hostility. Two messengers from Washington were allowed to enter the fort and confer with its commander. Meanwhile Secretary of State Seward had indirectly assured the Confederate commissioners that his government would make no attempt to relieve Fort Sumter without giving them notice beforehand; and on April 8, notification was given that an attempt would be made to relieve the fort. Already a small fleet had left New York for Charleston harbor. Beauregard demanded the surrender of the fort, and receiving Anderson's refusal bombarded it on April 11 and 12, when it surrendered. Immediately the war spirit rose high in both North and South. Lincoln called for volunteers to carry war into the seceded states. Some of the Border states refused to furnish troops for the purpose, and Virginia, Tennessee, North Carolina, and Arkansas seceded and joined the Confederacy. Richmond became the Confederate capital, and armies of both sections were collected near Washington. A battle occurred at Manassas Junction on July 21, 1861, and resulted in a serious defeat for the Federals. At once the North understood that a long and difficult war must be fought, and began scientifically to prepare for it; but the South, for the moment, was unduly elated, and in a measure relaxed its energies.

REVIEW QUESTIONS

1. Discuss the ownership of Fort Sumter in November, 1860; in January, 1861; in April, 1861.
2. Did the war begin with Lincoln's notification that force would be used if necessary in relieving Fort Sumter, or did it begin when the Confederates fired on the fort?
3. Could the war have been prevented? On whom rests the responsibility for the war?
4. Would Virginia, Arkansas, Tennessee, and North Carolina have left the Union and fought against it if Lincoln had delayed and tried peaceful measures?
5. Why should the people on both sides think the war would soon be over?
6. Discuss Kentucky's policy of revolution.
7. By what constitutional right was West Virginia formed?
8. If West Virginia was *in* the Union, was Virginia *out* of the Union?
9. Discuss the generalship of McDowell in the battle of July 21.
10. Whom do you consider the hero of the battle?

CHAPTER XXI

THE STRATEGY OF THE WAR

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ILLUSTRATIVE MATERIAL. — Semmes, *Service Afloat*; Soley, *Blockade and the Cruisers*.

THE BLOCKADE

471. The
four series
of offensive
operations;
1861-1865

The South was very willing to be let alone; so that the war, to be continued, must be a war of aggression by the North, upon whose military authorities rested the work of planning a system of offensive operations; and gradually there developed four lines of attack, namely:

1. The blockade of all the Southern ports by the navy of the United States.

2. Operations by the combined naval and military forces of the United States to control the Mississippi river, so that the Confederacy should be cut in two, thereby preventing the eastern part of the South from being reënforced or supplied with provisions from the region which speedily came to be known as the Trans-Mississippi region.

3. The occupation of Chattanooga, Tennessee, by the United States forces, in order that the lines of railroads in the Confederacy should be broken, and thus the Confederate armies be rendered unable to reënforce one another rapidly, and also be unable to receive provisions or munitions of war across the gap thus to be created by the capture of Chattanooga.

4. The taking of Richmond, the capital of the Confederacy.¹

¹ In a purely military view this fourth movement in the general combination should hardly be classed with the three others, for the Confederacy must certainly

THE BLOCKADE OF SOUTHERN PORTS

On April 19, 1861, six days after the surrender of Fort Sumter, Mr. Lincoln issued a proclamation declaring all seaports within the boundaries of the seceded states, in a state of blockade. At first, the Confederates derided; the blockade, so called, could effect nothing; no ships of war appeared at the entrances to their harbors; the boasted blockade was a mere "paper blockade," and it could not be believed that any earnest effort would be made actually to close all the ports along two thousand miles of seacoast. But, as soon as it became evident to the Federal government that a long and obstinate war was begun, it put itself seriously to work in the construction of a navy that should accomplish the purpose which the Confederates thought impossible.

At the beginning of the war, the United States navy consisted of about ninety vessels, but fifty of them had served their day, — old sailing vessels unfit for arduous or rapid service. Of the forty steamers, half a dozen were unavailable; the thirty-four remaining were scattered here and there, some at Pensacola, some at New York, others elsewhere. A great many of them had been laid up for repairs, and it would take time to fit them for sea; so it may be said that the United States navy at the beginning of the war was merely a nucleus. It surely could not be considered capable of effecting a serious blockade; it would have more than enough to do in protecting commerce from the depredations of Confederate privateers. And yet the future proved that the privateering ended when

472. Lincoln's proclamation — April 19, 1861.

473. Condition of the United States navy — 1861

fall if the first three should be successful; yet there were strong reasons why the movement against Richmond occupied so much of the attention of the Federal authorities. In the first place there was constant necessity, exaggerated perhaps in the mind of Mr. Lincoln, and of Congress, for defending Washington; and an army could defend Washington by taking the offensive. Again, the defence of Richmond must weaken the Confederates greatly all along their other lines of defence, from which reinforcements were frequently hurried to the capital; thus the defence of the Mississippi and of Chattanooga were rendered more difficult. Furthermore, all danger of foreign intervention would end with the fall of the Confederate capital.

the blockade had been made effective, there being no inducement to officers and crews to continue the dangerous business when they could no longer bring their prizes into port and sell them.

Before the close of the war the United States had probably in her service five hundred sea-going vessels; there had been nearly sixty ironclads built, while in the Mississippi river alone the flotilla of gunboats which began the descent of that stream in January, 1862, numbered about one hundred vessels, a great many of them ironclads.

474. The
Confederate
States Navy
— 1861

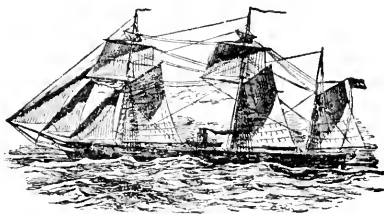
At the beginning of the war the Confederacy, of course, was without a single ship. A few side-wheel river and harbor steamers were purchased, or leased, or seized, in Charleston harbor before the bombardment of Fort Sumter; and in other harbors, wherever a seizure could be made of a United States vessel regardless of condition, the opportunity was improved. But the only fleet of any importance was at New Orleans. When Louisiana seceded all possible seizures of United States vessels were made, and to these were added by purchase some few little steamboats. As the war progressed, the Confederacy made effort to create a navy, or at least a semblance of one. At first Letters of Marque had been issued to persons wishing authority to prey upon the United States commerce at sea. In those days, such conduct in war was not uncommon. But with the establishment of an effective blockade the calling of the privateers was gone. There was no shipyard of any considerable worth within the bounds of the Confederacy, and what work was done to create a navy at home was accomplished under very serious difficulties. The Confederate authorities, however, were enabled to negotiate with ship-builders in England for four first-class cruisers, which created very great havoc among American merchant vessels, and gave rise, after the war, to complaint on the part of the United States government against Great Britain for allowing the vessels to leave her ports, and this complaint resulted in an arbitration, in which the board decided that Great Britain should pay the United

States a heavy indemnity. Besides the English-built cruisers, the Confederacy negotiated for six others to be built in France, but the vessels were never permitted to leave the French shipyards.¹

It is thus easily seen that the Confederate government, in the lack of a navy, very early abandoned hope of raising the blockade by physical force. But the South had reason to hope that Great Britain would soon recognize the Confederacy as an independent nation, and perhaps intervene in order to protect

475. Foreign recognition hoped for and feared; Mason and Slidell

her own manufacturers, daily becoming more and more embarrassed by reason of the blockade, which prevented the cotton produced in the South from reaching the English mills. It was a foregone conclusion that the Confederates would endeavor to obtain European recog-



THE CRUISER "ALABAMA"

From a drawing which Captain Semmes pronounced correct

nition, and that the Federals would endeavor to prevent it. On November 7, 1861, two commissioners from the Confederate States, James M. Mason, for Great Britain, and John Slidell, for France, took passage at Havana for England, and on the next day, the British ship *Trent*, on which they were passengers, was arrested by a United States warship, and the commissioners were seized. Great excitement resulted in the North and in the South and in England. A United States vessel had attacked a neutral ship, and if her government should sustain the act, Great Britain must necessarily become involved in the war; but the United States government delivered up the

¹ The most famous of the English-built Confederate cruisers was the *Alabama* (or 200 as she was at first called), commanded by Captain Raphael Semmes. She sunk the U. S. steamer *Hatteras*, 16 miles south of Galveston on January 1, 1863. After cruising in almost every sea and capturing scores of United States vessels, she was sunk by the "chain-armored" United States cruiser *Kearsarge* in battle near the French coast, June 19, 1864.

commissioners to Great Britain and war with that power was averted. The Confederate government hoped long for recognition from France and Great Britain, both of which powers had early recognized the belligerent rights of the South in proclamations of neutrality. No foreign government, however, throughout the war, gave to the South the longed-for recognition of her independence as a nation.

476. The
Slavery
question;
some public
expressions

Closely related to the failure of the Confederates to secure foreign recognition, was the institution of slavery which the South upheld. The United States government, through diplomatic measures and otherwise, continually held before the English people and their government the fact, or alleged fact, that a recognition of the South meant a recognition of slavery. There is no doubt that this influence prevented Great Britain from recognizing the South as an independent nation. But the fears of the Federal government were long kept alive in this respect, and its influence abroad was greatly lowered by the fact that Mr. Lincoln, in his inaugural address, had made the solemn statement: "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the states where it exists. I believe I have no lawful right to do so; and I have no inclination to do so."

Furthermore, the Congress of the United States, in July, 1861, passed the resolution of which the following is part: "That this war is not prosecuted on our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor for the purpose of overthrowing or interfering with the rights or established institutions of those States; but to defend and maintain the supremacy of the Constitution and all laws made in pursuance thereof, and to preserve the Union, with all the dignity, equality, and rights of the several States unimpaired; that as soon as these objects are accomplished, the war ought to cease."

This resolution, offered in the Senate by Andrew Johnson of Tennessee had passed that branch of Congress on July 11 by a vote of 30 to 5; and on July 22, the day following the defeat of McDowell, it passed the House by a vote of 117 to 2.

These majorities in the national legislature in favor of letting slavery alone, could not evoke British sympathy with the objects of the war.

On May 24, 1861, General B. F. Butler, in command of the Union forces at and near Fort Monroe, reported to General Scott that, when some fugitive slaves who had come into his lines were demanded of him, he replied that the fugitive slave act did not affect a foreign country, which Virginia claimed to be, and that she must reckon it one of the infelicities of her position that in so far at least she was taken at her word; that in Maryland, a loyal state, fugitives from service had been returned, and that even now, if their master would come to the fort and take the oath of allegiance to the Constitution of the United States, the men would be delivered up to him. Both General Scott and the secretary of war gave written approval of Butler's report.

477. A military view of slavery; General Butler

On March 6, 1862, President Lincoln, in a message to Congress recommended a proposal to compensate any slave state which would "adopt gradual abolition of slavery," and adds, "Such a proposition on the part of the General Government sets up no claim of a right by the Federal authorities to interfere with slavery within State limits," and, in continuation, foreshadows the possible emancipation of the slaves as a measure forced by the necessity to preserve the Union.

478. Gradual emancipation proposed by Lincoln

On May 9, 1862, General David Hunter, commanding the Department of the South, issued his General Order No. 11, in which, after reciting that martial law had been declared in Georgia, Florida, and South Carolina, he adds: "Slavery and martial law in a free country are altogether incompatible. The persons in these States — Georgia, Florida, and South Carolina — heretofore held as slaves, are therefore declared forever free."

479. Hunter's emancipation order — 1862; Hunter rebuked; Lincoln's appeal

But on May 19, President Lincoln issued a proclamation in which he disavows all responsibility for Hunter's emancipation order, and says, "it is altogether void," and further says that he reserves to himself the decision whether at any time "it shall have become a necessity indispensable to the maintenance

of the government to examine" the supposed power to declare the slaves free. Then he quotes his message to Congress of March 6, and adds that both branches of Congress had adopted



ABRAHAM LINCOLN

a resolution looking to the gradual abolishment of slavery with compensation, and concludes with a very earnest appeal to the states and people most interested, as follows: "This proposal makes common cause for a common object, casting no reproaches upon any. It acts not the Pharisee. The change it contemplates would come gently as the dews of Heaven, not rend-

ing or wrecking anything. Will you not embrace it? So much good has not been done by one effort in all past time, as in the Providence of God, it is now your high privilege to do. May the vast future not have to lament that you have neglected it."

480. The president's appeal to the Border states

Following this appeal, Mr. Lincoln called together the representatives and senators from the Border states. They met on the morning of July 12 at the Executive Mansion, and the president "addressed them from a written paper held in his hands." He told them very seriously that if they had all voted for the resolution for gradual emancipation, in his opinion "the war would now be substantially ended." He argued that the seceded states would always hope for the help of the border states as long as the latter held to slavery; but that an abandonment of that institution would at once disabuse them. "How much better," he said, "for you and for your people to take the step which at once shortens the war, and secures substantial compensation for that which is sure to be wholly lost in any other event. I do not speak of emancipation at once, but of a

decision at once to emancipate gradually. Room in South America for colonization can be obtained cheaply, and in abundance, and when numbers shall be large enough to be company and encouragement for one another, the freed people will not be so reluctant to go." Concluding, Mr. Lincoln referred to great pressure upon him, and begged the members to consider his appeal, and discuss it among themselves.

Within two days he received from the majority of his audience a well prepared reply, in which the following expression occurs: "The right to hold slaves is a right appertaining to all the States in the Union. They have the right to cherish or abolish the institution, as they or their interests may prompt, and no one is authorized to question the right, or limit its enjoyment. And no one has more clearly affirmed that right than you have." They say, furthermore: "Twelve months ago both Houses of Congress, adopting the spirit of your message, then but recently sent in, declared with singular unanimity the objects of the war, and the country instantly bounded to your side to assist you in carrying it on. If the spirit of that resolution had been adhered to, we are confident that we should before now have seen the end of the deplorable conflict. But what have we seen? In both Houses of Congress we have heard doctrines subversive of the principles of the Constitution . . . Confine yourself to your constitutional authority; confine your subordinates within the same limits; conduct this war solely for the purpose of restoring the Constitution to its legitimate authority." They add that if this advice is followed they will very gladly sustain him; and say they are willing that their states should consider for themselves the matter of compensatory emancipation. The document was signed by twenty of the twenty-eight members concerned.

481. Reply of the Border states

Whether as a sequel to the action of the majority of the Border states representatives, or whether Mr. Lincoln had worked to a similar conclusion through his own thought or other influences, the fact remains that in his message to the next session of Congress, December 1, 1862, he proposed an

482. Message of December 1, 1862

amendment to the Constitution, part of which reads as follows: "Every State wherein slavery now exists which shall abolish the same therein at any time or times before January 1, 1900, shall receive compensation from the United States." It is to be observed that this proposal would leave the question to be solved by the individual states, and is entirely consistent with Mr. Lincoln's statement in his inaugural address. It is also to be observed that he had already declared that on January 1, 1863, he would issue his proclamation of emancipation, as a military necessity.

**483. The
emancipa-
tion procla-
mation**

Meanwhile, "the seven governors," the churches, the societies, the politicians, and especially the military conditions, were exerting great pressure upon Mr. Lincoln to induce him to declare the slaves free; but he persisted in refusing until to him it should seem "an indispensable necessity for the preservation of the government," and the time came soon. For, after his proclamation of May 19, not six weeks passed before his greatest army was defeated and the campaign utterly lost; and quickly followed worse disaster to another army which sought refuge in the defences of Washington, while the Southern army invaded Maryland, and fears for the capital were great. Why should not a foreign nation recognize the independence of a *de facto* government which could so demonstrate its military power? Mr. Lincoln, within less than a month, proclaimed that the slaves should be free on the first of January following. The "military necessity" had come. The story goes, and it is not known that it ever has been disputed, that President Lincoln, at a time when he felt greatly discouraged on account of successive defeats, made a vow to Heaven that he would declare emancipation as soon as victory returned to the Union army. The battle of Antietam occurred, and the Confederates on September 19 retired into Virginia; on September 22, the proclamation was issued. In this connection, the action of France is interesting. On October 30, 1862, possibly three weeks after hearing of Antietam and the proclamation, the French government prepared a diplomatic note in which it

invited Great Britain and Russia to join with her in endeavoring to bring about an armistice of six months duration between the contending powers in America, in the hope that in this interval measures would be initiated that would result in peace.

*And by virtue of the power, and for the purpose of
executing, I do order and declare that all persons held
as slaves within said designated States, and part of
States, are, and henceforward shall be free;*

*And upon this act, sincerely believed to be
an act of justice, warranted by the Constitution upon
military necessity, I invoke the consideration and
prayer of mankind, and the gracious favor of Al-
mighty God.*

*L.I. Independence of the United States
of America the eighty-seventh.*

Abraham Lincoln

EXTRACT FROM LINCOLN'S EMANCIPATION PROCLAMATION

Reduced facsimile of the autograph copy

Both powers replied sympathetically, but thought the government of the United States would resent any semblance of interference. That Great Britain would have replied differently, but for Mr. Lincoln's proclamation, is an interesting possibility. The Proclamation of Emancipation proper, issued, according to the president's promise, on January 1, 1863, declared that all

persons should be forever free, who were then held as slaves within the territory of the seceded states, excepting West Virginia, and the counties (which were named) occupied by the United States military or naval forces. This act, Mr. Lincoln wrote, was "warranted by the Constitution upon military necessity," and there is no doubt that the most pressing necessity was the prevention of Great Britain's taking part with the Confederacy; all danger of which ceased with the proclamation.

**484. The
blockade of
the Gulf
ports**

By June 8, 1861, the port of Mobile was blockaded by a United States war vessel; another was stationed at the mouth of the Mississippi river, in order to blockade the port of New Orleans, and on July 2, Galveston, on the coast of Texas, was blockaded, the only collision occurring at Galveston, where a few shells accidentally landed in the town during an exchange of compliments between the blockading ship and a battery on shore, four casualties resulting. By the middle of the summer the important Gulf ports were in a state of effective blockade; moreover, while these ports were guarded by ships stationed before them, other vessels of the Gulf blockading squadron plied back and forth along the coast, looking into the smaller harbors, in order to prevent the egress or the entrance of vessels.

THE BLOCKADE OF ATLANTIC PORTS

**485. Hat-
teras Island;
Roanoke
Island;
New Berne**

A combined naval and military force sailed from Hampton Roads on August 26, 1861, for Hatteras Inlet, North Carolina, under command of Commodore Stringham and General B. F. Butler. On the morning of the 28th, the two Confederate works called Forts Clark and Hatteras, situated on Hatteras Island, were bombarded. The ships with their heavy guns stood out to sea, and the shells from the Confederate guns fell short. On the next day the forts surrendered, and the Union forces took possession.

In February, 1862, General Burnside and Flag-officer Goldsborough took Roanoke island after very severe fighting on the part of both arms of the service, and in March followed up this

success by capturing New Berne and Fort Macon on the mainland of North Carolina.

On October 29, 1861, seventeen vessels of war, accompanied by many transports carrying three brigades of infantry under General Thomas W. Sherman, sailed from Hampton Roads, Virginia, and, after encountering a terrific gale off Cape Hatteras, in which four of the transports were sunk, and other vessels seriously damaged, the fleet appeared at Port Royal on November 3. The harbor was defended by fortifications on shore, and by three small steamers. **486. Port Royal**

On November 7, Flag-officer Dupont opened fire upon the forts, and after a bombardment of four hours silenced them and took possession, the garrisons withdrawing. Port Royal remained in the hands of the Federals throughout the war, giving a foothold which helped the blockading fleets to guard the whole coast as far as Florida with a minimum of effort.

On November 29, 1861, General Thomas W. Sherman, in command at Port Royal, ordered an examination of the water approaches to Savannah, and particularly to Fort Pulaski, commanding the entrance of the Savannah river, in respect to the possibility of its reduction. The report received was encouraging, and a force was landed upon Tybee island, and slow approaches made at night almost under the guns of Fort Pulaski, until the Confederates, to their surprise, found a battery erected against them. Meantime, some Confederate gunboats came down the river and opened fire on the battery for a short time, and then steamed away. The work was kept up, and another battery was planted farther up the river on Bird island; and then another at Venus Point, on Jones island, these two batteries being above Fort Pulaski, as the river runs, thus making communication with the city extremely dangerous and almost impossible. On the morning of April 10, the fort was summoned to surrender, and Colonel Olmstead, in command of the Confederates, replied that "he was there to defend the fort, not to surrender it." A vigorous bombardment was begun early the next morning, and at two o'clock the fort was compelled to **487. Fort Pulaski**

surrender. Fernandina had been occupied previously by Union forces.

488. The
blockade
effective

Thus, in less than a year after President Lincoln's proclamation on paper, the Federals held positions on the mainland of Virginia, North Carolina, South Carolina, Georgia, and Florida; and the Confederacy was beginning to suffer for many foreign commodities that are classed as necessities rather than luxuries, while a diligently enforced blockade of the whole coast rendered highly dangerous the exportation of cotton, upon which almost exclusively the South depended to pay for imports. Although the blockade was not yet complete, and although it would have been a physical impossibility so to shut up every small inlet as absolutely to prevent the slipping in of small, swift blockade runners from Nassau, yet the barriers in their way made the adventure extremely hazardous. Prices of many articles considered necessities rose enormously. Quinine in sufficient quantity could not be had; and the medicine chest of a military surgeon became little more than a capacious receptacle for empty phials and boxes. In the interior, the people resorted to the physic of primitive times; the medicinal plants formerly pointed out by the Indians were hunted for and utilized; the dogwood, the wild-cherry, and the willow, among the trees, and among the herbs, the hoarhound, the bloodroot, and the chamomile reasserted a long lost prestige and fortified the drooping faith of many a poor patient.

Salt rose to prodigious prices. It became customary to dig up the earth of the smoke-houses in order to extract the salt by boiling. Needles were as valuable as jewels; as for pins, thorns sufficed in many a sudden necessity. There was coffee still in Arabia, perhaps, or in Rio or Honduras; but there was none in the South. The farmer raised sorghum, attended more than ever to bees, and got along without much sugar. There was tea made from the root of the sassafras; coffee made from parched rye, or parched potatoes, or a dozen other substitutes according to the demands of a fastidious taste; the goosequill pen again; the rawhide shoes that slipped off when wet and

tore the flesh when dry and hard; the rude nails of the common blacksmith; on long sleepers the thin straps serving for iron rails; the homespun, dyed with indigo or copperas or not dyed at all; in a thousand and one ways the Southern people felt the deprivations caused by the blockade. Toward the end of the war the restriction became more and more exacting, until Wilmington was closed in January, 1865, in consequence of the fall of Fort Fisher.

But there was an increasing commerce carried on with Mexico across the Texas border. Much cotton went to Brownsville, thence to Matamoras. Farther up the Rio Grande the overland trade kept up, in smaller degree, however, until the end.

SUMMARY

The aggressive policy of Northern generalship took form in four series of operations: (1) the blockade; (2) the closing of the Mississippi river to the Confederates; (3) the taking of Chattanooga; (4) the taking of Richmond. The blockade soon made itself felt, even though it was never absolutely thorough. The Confederates had no navy with which to resist it; blockade runners, however, slipped through, but supplies thus brought in were inadequate and very costly. There was growing distress in the South from lack of a few necessary commodities, such as medicines. Hoping for recognition by European nations the Confederacy sent commissioners to Great Britain and France. The commissioners, on board the British mail steamer *Trent*, were arrested at sea by a United States war vessel, but war with Great Britain was averted by a prompt release of the prisoners. Closely related to the question of recognition was the institution of slavery. Great Britain especially was suffering for Southern cotton; her mills were closing, her operatives out of work; and the South had good reason to hope; but slavery stood in the way. Mr. Lincoln, knowing the condition, issued a proclamation announcing that he would free the slaves in the territory in arms against the United States, predicating his action upon military necessity. The proclamation dispelled great danger to the Union of a recognition of the Confederacy. Mr. Lincoln, meantime, was endeavoring to induce Congress to provide for gradual emancipation with compensation to the slave owners; but the border states which held at the same time to Union and to slavery, gave the policy but little encouragement. The blockade became more and more effective; but until the close of the war Texas carried on trade across the Mexican border.

REVIEW QUESTIONS

1. Discuss the effect on the Confederacy of cutting it in two along the line of the Mississippi river. 2. What campaign in the Revolutionary War was undertaken by the British with a somewhat similar purpose? 3. Give the reasons for the release of Mason and Slidell. 4. Discuss the influence of the lack of cotton upon conditions in England. 5. Explain how slavery was closely related to recognition. 6. Why should Union effort be directed against Chattanooga? 7. Could the Confederates purchase and fit out vessels for war in England without the knowledge of the British government? 8. What right had Lincoln to liberate other people's slaves? Discuss his right to act contrary to his inaugural announcement in regard to slavery. 9. As a matter of expediency, should the Border states have been willing to see their slaves freed in accordance with Lincoln's plan? 10. Did the Southern states violate the Constitution in seceding? 11. Did the North violate the Constitution in endeavoring to coerce the South? 12. Of what good is a Constitution?



CONFEDERATE BATTLE
FLAG

CHAPTER XXII

STRATEGY OF THE WAR: WEST

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OPERATIONS FOR THE CONTROL OF THE MISSISSIPPI

In war, as in other human enterprises, and as in the play of physical forces, progress is made along the "lines of least resistance." The blockade, clasp-^{489. The military lines of approach}ing the Confederacy on her weakest flanks, and never relinquishing its embrace, must eventually cause exhaustion. But the South must be so engaged in resisting other assaults as to forbid her making preparations to break the chain that bound her coasts.

Geographical conditions, as well as Federal superiority on the water, clearly indicated the Mississippi river as the broadest avenue of approach into the heart of the Confederacy; and a fleet of gunboats, designed for the great stream and its navigable tributaries, was assembled at Cairo under command of Flag-officer Foote.

General Halleck was at St. Louis in command of the Department of the Missouri, and General Buell was at Louisville, commanding the Department of the Ohio, while opposing the forces of the two commanders were the Confederates under General Albert Sidney Johnston, able perhaps to cope with Buell or Halleck, but certainly not with both. The Confederate

^{490. The armies of the West, 1862; Belmont; Mill Spring}

left rested on the Mississippi at Columbus, Kentucky, while its right was near Bowling Green.

Late in the year 1861, there had been two disconnected move-



GEORGE H. THOMAS

ments; General Grant had advanced against the forces of General Polk near Columbus, and on November 7, at Belmont, Missouri, opposite Columbus, there was a hard fought battle, in which neither side could gain great advantage. While the troops fought on land, the Federal gunboats bombarded the Confederate batteries with little effect.

Early in January, General McClellan (470) had authorized Buell to throw forward a column from his left into Tennessee, and General Thomas, command-

ing this advance movement, encountered a Confederate force under General Zollicoffer at Mill Spring, Kentucky, on January 19. In the engagement that followed General Zollicoffer was killed, and the Confederates were defeated.

491. New
Mexico
campaign

A small Southern army entered New Mexico in December; General Sibley issued a proclamation inviting the people to join the Confederacy; combats, in which the Confederates gained advantage, took place with the Federal forces under General Canby; but Sibley withdrew from the territory in May, abandoning an enterprise that should never have been begun, although the ultimate object of the movement was California and its acquisition by the Confederacy.

492. Forts
Henry and
Donelson
taken

An advance of the army under Grant, and the fleet under Foote, on February 1, had for its first purpose the capture of Fort Henry on the Tennessee river. Fort Henry fell after a protracted bombardment of the gunboats, surrendering to Foote before the infantry could coöperate. Fort Donelson, on the

Cumberland river, only twelve miles from Fort Henry, was defended by some twelve thousand troops, under Generals Floyd and Buckner. Against this position General Halleck ordered Foote to ascend the Cumberland, while Grant should attack the position upon the land side with twenty-five thousand men. There followed some very stubborn fighting and terrible hardship to the infantry in ice and snow. The result of four days' battle was the surrender of the Confederate fort and Confederate army to General Grant on February 16.

The center of their line having thus been pierced at a great loss to the Confederates, General Johnston was forced to fall back on both right and left. The first of the defences on the Mississippi now became untenable; Columbus was evacuated on March 3, and General Polk saved his corps by falling back and preserving communication with the center of Johnston's army. Nashville was abandoned, and was soon occupied by the army under General Buell, while Grant's forces from Fort Donelson began to ascend the Tennessee river in transports, and almost the whole of west Tennessee and middle Tennessee was in the power of the Federals.

General Johnston concentrated his troops at Corinth to defend the railroad between Memphis and Chattanooga, while Grant's army landed on the west bank of the Tennessee and waited for Buell to effect a junction by marching overland. But Johnston moved with some forty thousand troops from Corinth to attack Grant before the Army of the Ohio under Buell could join him. The first day's battle, on Sunday, April 6, found the Federals unprepared, and they were forced back until the greater part of the Army of the Tennessee, disorganized after severe losses, had sought protection from the gunboats on the Tennessee river.



ALBERT SIDNEY JOHNSTON

493. Confederates retreat to Corinth; Battle of Shiloh, April 6-7, 1862

The battle had lasted from daybreak until sunset, and at four o'clock it had seemed improbable that the army could escape a crushing disaster. But at four o'clock two events occurred: One was the death of General Albert Sidney Johnston, who was struck down in the high tide of success. The other was the arrival of a division of fresh troops under Buell to reënforce the discomfited Army of the Tennessee. General Beauregard, second in command of the Confederate Army, considered it unwise, after the death of General Johnston, to attack again. The armies on that night lay upon the field, while the remaining divisions of Buell came up. On the next morning all the Union forces under Grant and Buell took the advance, and after a stubborn contest, the outnumbered Confederates retreated to Corinth.

**494. Island
No. 10**

Almost opposite New Madrid, Missouri, the Confederates had erected strong batteries, both on the eastern bank and on Island Number Ten; and on the island was an infantry force that should have been withdrawn as soon as the loss of Fort Donelson was known. Flag-officer Foote, coöperating with General Pope, bombarded the Confederate works for two days, and on April 7, Island Number Ten surrendered with some 4000 or 5000 men.

**495. The
fall of New
Orleans**

A naval expedition under Captain, afterward Admiral, Farragut, early in April, had been assembled at Ship island for the purpose of capturing the city of New Orleans. Seventy-five miles below New Orleans were the Confederate Forts Jackson and St. Philip, almost opposite each other, with an armament of 126 guns. From Fort Jackson there stretched a line of obstructions in the river, which proved to be of little difficulty; and a Confederate fleet carrying 166 guns was above the forts. Farragut's fleet carried 302 guns, and there could be no question of his ability to dispose of the Confederate ships if he could first silence the forts. So Farragut's mortar boats lay around the bend, and in five days threw more than 16,000 shells into the forts; and while the bombardment was at its worst the chain of obstructions was cut. On the night following the twenty-

third of April, Farragut's fleet passed the forts; and the next morning almost completely destroyed the Confederate navy. New Orleans was now at the mercy of the Federals, who held it until the war was over. The loss to the South was enormous. No longer could her troops or supplies be transported from one side of the Mississippi to the other in this lower course of the river.

Meantime, there had been serious fighting in Missouri and Arkansas, which had resulted in the abandonment of Missouri to the Federals, and on March 7 and 8 at Elk Horn, or Pea Ridge, in northwestern Arkansas, a general engagement had occurred. On the first day, the battle was favorable to the Confederates, but their generals, McCulloch and McIntosh had been killed; on the second day, neither side could claim a victory, although tactically the Federals won success.

It was President Lincoln's policy to restore the authority of the United States government as rapidly as possible in the states occupied by the army, so as early as March 5, the Senate confirmed his appointment of Senator Andrew Johnson as military governor of Tennessee, with the rank of brigadier general of volunteers (476). Johnson arrived in Nashville on March 12, and immediately began his difficult work of lessening Confederate resistance and increasing Union sentiment.



DAVID G. FARRAGUT

496. Elk
Horn, or
Pea Ridge

THE VICKSBURG CAMPAIGNS

Early in June the Federals were masters of Memphis and Fort Pillow, the Confederates having been forced to evacuate through the advance of the army under Grant, and now there

497. An-
drew
Johnson,
military
governor
of Tennes-
see, March,
1862

498. Both
armies re-
enforced

remained no other Southern stronghold on the Mississippi except Vicksburg and Port Hudson. But Vicksburg was very strong; it was the last hope of the South to maintain a crossing of the river; for Port Hudson must necessarily fall with Vicksburg. Already, before the evacuation of Memphis, the Con-



ULYSSES S. GRANT

499. Chick-
asaw
Bluffs;
Grant's
movement

federates under General Price, in Arkansas, had crossed to the east and had reached Corinth. Troops from New Orleans, from Pensacola, and the Atlantic seaboard, had been rapidly added to Beauregard's army; while Halleck had in person taken command of the United States forces which, with additions received, now numbered 110,000 men.

In December, General W. T. Sherman landed his troops on the Yazoo in rear of Vicksburg,

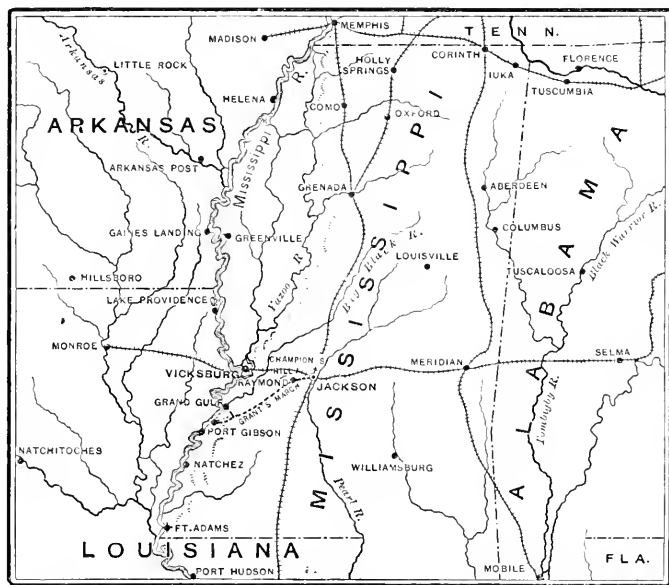
and brought on a great and useless slaughter of his men by forcing them to assault an impregnable position, at Chickasaw Bluffs, defended by General Stephen D. Lee.

In January, 1863, General Grant's army was at Milliken's Bend, on the Louisiana side of the Mississippi river, a few miles above Vicksburg. His army at this time was perhaps 50,000 strong; and before the campaign ended was increased to 70,000 men. It having become evident, through experience, that Vicksburg could hardly be taken in any other way,¹ he marched 70 miles down the river. Meanwhile a large part of the fleet with transports, on two different nights, April 16 and 22, successfully ran by the Vicksburg batteries, and were ready to transport Grant's army to the east side of the river.

¹ Grant's report, after telling of the failures attending previous movements, says, "All this may have been providential in driving us ultimately to a line of operations which has proved ultimately successful."

Engagements followed with detached Confederate troops; on May 14, Jackson was taken; on May 16, at Champion's Hill, between Jackson and Vicksburg, the Confederate General Pemberton was defeated and forced to withdraw to the west and take position behind the Big Black, and on the next day he was forced to retire into Vicksburg. Grant assaulted on the nineteenth, and was repulsed with immense relative loss. Again, on

500.
Grant's
advance;
Fall of
Vicksburg



MAP OF THE VICKSBURG CAMPAIGNS

the twenty-second, he threw away the lives of many men in a general assault upon Pemberton's intrenchments. Then he began a siege that was intended to reduce the place by preventing the entrance of supplies or reinforcements. Meantime, General J. E. Johnston, commanding the Confederate Department of Tennessee and Mississippi, was endeavoring to collect an army strong enough to attack the Federals and compel them to raise the siege. He had arrived in Jackson on May 13,

and had unavailingly endeavored to secure the coöperation of Pemberton. Learning of the retreat into Vicksburg, Johnston now placed his small force in the best position for helping Pemberton to withdraw his army before it became too late; but every attempt he made proved ineffectual.

The army in Vicksburg, after enduring the perils and privations of a close siege of 47 days, was surrendered (July 4, 1863) upon terms, the Confederate troops giving paroles not to serve against the United States until exchanged. Port Hudson, after learning that Vicksburg had fallen, surrendered on July 8 to General Banks. It could hardly have held out another day.

501. Effect
of Vicks-
burg on the
South

The loss of Vicksburg and Port Hudson convinced many thoughtful men in the far South of the futility of further resistance. If the Confederacy had been unable to defend the Mississippi, certainly she was powerless to recover it; and it would be well, they thought, to make the best terms possible with the North and stop the bloodshed and destruction. The people, moreover, or those who were unaware of the general condition of the South, murmured very discouragingly because of known dissensions among high authorities: Johnston and Pemberton had been discordant; between Johnston and President Davis there lacked harmony, to put it mildly, and no good could come to the country under such conditions. The soldiers had their complaints also; incompetent commanders, or false strategy directed or rather tangled by those above them, had sent them to fields which they had no chance to win.

502. Mar-
tial law in
Louisiana;
confisca-
tion;
Butler
superseded

General Butler, in command of the Federal forces holding New Orleans, established rigid military rule, with mixed effect of evil and good. The mayor was confined in Fort Jackson for remonstrating in regard to a certain order of Butler's, but was released upon offering an apology. Another incident of Butler's rule was the hanging of a citizen for pulling down and tearing to pieces a United States flag. Butler also became involved in a controversy in regard to an immense sum of money in the hands of the consul of the Netherlands. The property of prominent secessionists was confiscated; all the

inhabitants of the city were disarmed, notwithstanding remonstrances from the French consul; negroes were received into the service of the United States as soldiers; and on September 24, Butler created a panic by ordering "all Americans, male and female, in his department, to renew their allegiance to the United States government under pain of fine and imprisonment at hard labor." It is estimated that 60,000 persons in Louisiana complied with this order. It was followed by the wholesale sequestration of "all the property in the district called La Fourche, on the west side of the Mississippi, and all in that part of the state lying east of the Mississippi, except the parishes of Orleans, St. Bernard, and Plaquemines," a territory as great as that of Massachusetts. In all these property affairs, Butler asserted that he was making "the rich aristocrats, who had brought on the war," sustain the poor, who were the principal sufferers. No doubt Butler effected good through sanitary measures in the city, where he acquired a degree of popularity; but in the rural districts he was intensely and almost universally hated. President Lincoln superseded Butler with General Banks, a more lenient master, who assumed command December 16, 1862.

A force was at once sent up the Mississippi; Baton Rouge was occupied and was held until the end of the war.

President Lincoln, pursuing his policy of endeavoring to reattach the seceded states to the Union, had sent with Banks to New Orleans, General A. J. Hamilton, appointed military governor of Texas, November 14, 1862; and General Banks, upon arriving at New Orleans, dispatched a force under Colonel Burrell to occupy Galveston. In his orders to Burrell, General Banks says, "General Hamilton is appointed military governor of the state of Texas, and will be recognized by you in that capacity." In obedience to orders, Colonel Burrell landed at Galveston December 25, 1862; and on January 1, 1863, he and his men were killed or captured by the Confederates under General Magruder. The United States steamer *Harriet Lane* was also taken, together with four smaller vessels.

503. Banks' campaigns; Baton Rouge; Galveston; Sabine Pass

Following this attempt, General Banks sent an expedition against Sabine Pass in September, with the design of capturing the forts, landing a large infantry force, and marching upon Houston, which would become the capital of Hamilton's government. Low water prevented most of the fleet from getting over the bar, but on September 8, two of the gunboats began an attack on Fort Griffin, which was occupied by Lieutenant R. W. Dowling, with 47 artillerists, and in less than an hour both vessels had surrendered with some 350 men. In October, Banks himself, with the Thirteenth Army Corps, appeared with a fleet at the mouth of the Rio Grande; and within a few days the force landed at Brownsville and took possession of the town. General Banks, leaving General Dana in command, returned to New Orleans, and sent Military Governor Hamilton to Brownsville; but beyond giving annoyance to the Confederate trade established with Mexico, the troops and the "governor" accomplished nothing.

**504. The
Red River
campaign**

The attempted invasion of Texas by way of Red river in 1864 seems also to have been ordered by President Lincoln for the purpose of facilitating Hamilton's efforts to convert Secession Texas into Union Texas. Banks began the movement late, being detained in New Orleans to obey Lincoln's instructions for placing a "governor" over Louisiana. The advance of the Federal army came to a sudden end on April 8 at Sabine Cross Roads, where General Richard Taylor drove it from the field; and Banks gave up the campaign, although the pursuing Confederates were repulsed at Pleasant Hill. After this, neither Federals nor Confederates, west of the Mississippi, crossed that river in force.

THE CHATTANOOGA CAMPAIGNS

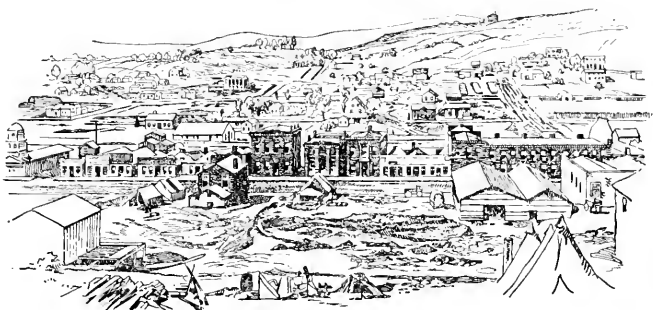
**505.
Evacuation
of Corinth**

General Halleck, in command of all the Union army south of the Tennessee river, advanced slowly toward Corinth, to which place General Beauregard had retreated after the battle of Shiloh; and within a few miles of the Confederate position

began to fortify in order to make assurance doubly sure. At length, when he was ready to attack, he found that under the skilful command of Beauregard, the Confederate army had retreated to Tupelo, Mississippi. Here Beauregard was superseded by General Bragg, who soon began a movement into Tennessee for the purpose of defending Chattanooga.

Halleck ordered a movement upon Chattanooga by General Buell. General Pope was ordered by the president to take command of an army being collected in Virginia, and early in July Lincoln appointed General Halleck commander-in-chief

506. Halleck;
Buell;
Pope;
Rosecrans



CHATTANOOGA, TENNESSEE, IN 1864

of the armies of the United States to supersede McClellan. The Federal army remaining at Corinth was now under Grant. Its left wing, under General Rosecrans, who had succeeded Pope, was still at Corinth, confronted by General Price at Tupelo with about 15,000 men, soon to be reënforced by VanDorn with 10,000.

Price moved upon Iuka, and near that place on September 19 a battle was fought between some of Price's army and a division of Rosecrans's, but without decisive result. On the 3d and 4th of October, Price and VanDorn advanced against the strong fortifications of the Federals at Corinth. The result of many desperate assaults was the loss of almost 5,000 men on the part of the Confederates, and almost 3,000 on the part of the Federals. After this battle Rosecrans was ordered into

507. Iuka
and
Corinth

Tennessee, and Grant began to prepare for his Vicksburg campaigns (499).

508.
Bragg's
Kentucky
campaign

Bragg moved his infantry by rail to Chattanooga from Tupelo by way of Mobile and Montgomery. Buell, finding that Bragg would outstrip him and occupy Chattanooga, interposed his army between that position and Nashville. Meanwhile, General Kirby Smith had advanced from Knoxville into Kentucky with a force of 12,000 men, defeated a Federal force on August 30, at Richmond, Kentucky, and was advancing upon Louisville, which seemed almost sure to fall into his hands; but to defend Louisville, Buell was making forced marches, and Bragg was also hurrying forward to effect a junction with Smith. Buell occupied Louisville, received strong reinforcements, and marched to meet Bragg before Kirby Smith had united with that general, and at Perryville, on October 8, the two armies met in a general engagement. The result was indecisive, but at night Bragg abandoned the field to the superior numbers against him, and maneuvered until Smith joined him, when he withdrew entirely from the state and took position in defence of Chattanooga. The campaign of the Confederates had failed to increase Southern sentiment in Kentucky; a second purpose in the campaign, however, had been accomplished in the obtaining of a large quantity of supplies.

509. Mor-
gan;
Forrest

While Bragg and Buell had been campaigning in Kentucky, a great part of Tennessee had been left open to sudden enterprises on the part of Southern cavalry leaders, and Nashville itself was endangered. The whole country of middle and west Tennessee became debatable ground. McMinnville, Columbia, Williamsport, Brownsville, Gallatin, Pulaski, Murfreesboro, Franklin, Clarkesville, Edgefield, Woodbury, Covington, Randolph, and other places suffered the terrors of sudden surprises, skirmishes and isolation. Morgan captured a whole brigade very near Nashville. Forrest rode the country both east and west, sometimes attacking steamboats on the Mississippi river, at others suddenly appearing east of Nashville. Meanwhile,

smaller bodies of cavalry, claiming of course to be Confederates, but unable in many cases to show commissions, were ranging the country and committing depredations. All these movements and exploits had the effect of intensifying sentiment. The Unionists became more devoted to their cause, while the Confederate citizens received encouragement to believe that success would crown the efforts of the Southern armies.

The authorities at Washington removed Buell and put Rosecrans in his stead. Buell had failed to crush Bragg, while Rosecrans had succeeded at Corinth. Rosecrans waited at Nashville for reinforcements, and then, in December, advanced toward Chattanooga. Bragg in the meantime had gone into winter quarters at Murfreesboro, and near that town on December 31, the advance of Rosecrans's army found Bragg in position for battle. A great engagement followed; the troops fought all day on December 31; rested on the 1st of January, and resumed the work of slaughtering one another on the 2d; and when the night came, neither army had been able to overcome the other. Bragg withdrew to a point nearer Chattanooga, and both he and Rosecrans were inactive for the remainder of the winter.

**510. Battle
of Mur-
freesboro**

In June, 1863, Rosecrans was ready to advance again. He had been heavily reinforced, while Bragg's army had been reduced in order to strengthen Johnston near Vicksburg. Bragg retreated slowly upon Chattanooga, Rosecrans day after day extending his lines so that Bragg was forced to retire. Even after Bragg occupied the city and its immediate surroundings, Rosecrans, with his much more numerous army, was able to detach a large force to operate upon the railroad south of Chattanooga; so that in order to prevent his line of communication with the South from being broken, Bragg was compelled to evacuate Chattanooga. Rosecrans occupied the city on September 9, and on September 19 and 20 was forced to fight the battle of Chickamauga. Meantime, Bragg had been reinforced from Mississippi, and from Virginia by two of the divisions of Longstreet's famous corps. Chickamauga was the

**511. Battle
of Chicka-
mauga**

greatest battle fought by the western armies; it resulted in disaster for the Federals; marvelous work was done by General Thomas to save the army from destruction. Bragg shut Rosecrans's army in Chattanooga, where its position became very



POINT OF LOOKOUT MOUNTAIN, TENN.
View during high water, looking down the river

perilous because of the difficulty of obtaining supplies. But the Federal government made extraordinary efforts for Rosecrans's relief; troops were hurried from the North and from the West, and long wagon trains endeavored to bring supplies into Chattanooga from Nashville; Grant himself came from Vicksburg to take command. Burnside, in command of the Federal army at Knoxville, was ready to march to

the relief of Chattanooga, and Bragg felt compelled to detach Longstreet in opposition. Grant, learning that Bragg's army had been reduced, ordered an attack, and late in November, Bragg's line of intrenchment on Missionary Ridge and his position on Lookout Mountain were carried. Bragg raised the siege of Chattanooga, and retired into Georgia. Longstreet, in the meantime, had laid siege to Knoxville, but feeling unable to devote the winter to the operation, determined to assault, and was repulsed with very great loss.

SUMMARY

Grant and Foote captured Forts Henry and Donelson and advanced southward. General A. S. Johnston attacked Grant at Shiloh, but the timely arrival of Buell turned the tide of victory in favor of Buell and Grant. General Pope took Island No. 10 in the Mississippi river. Farragut, after a most dramatic action below New Orleans, received the surrender of the city on April 29, 1862. Meanwhile, Lincoln had appointed Andrew Johnson military governor of Tennessee, thereby putting into effect his first large movement toward a generous "reconstruction." In Northwest Arkansas a battle had been decided against the Confederates March 7 and 8, 1862. The campaigns against Vicksburg began. Sherman needlessly caused his men to be slaughtered at Chickasaw Bluffs. Grant marched down the Mississippi on the west side, far below Vicksburg, crossed to the east side, and won engagements at Jackson, Champion's Hill, and Big Black river. J. E. Johnston maneuvered for the purpose of aiding Pemberton to avoid being shut up in Vicksburg; but his movements failed, and Grant besieged the city, which was surrendered on July 4, 1863. The taking of Vicksburg and Port Hudson divided the territory of the Confederacy, and rendered almost hopeless the cause of the South. Butler, commanding in New Orleans, ruled rigorously, confiscating property, receiving negroes into the United States army, and ordering all citizens to take the oath of allegiance. Butler was succeeded by Banks, who was defeated by General Taylor in his Red River campaign.

Price and Van Dorn attacked Rosecrans at Corinth behind intrenchments, and were repulsed. Bragg invaded Kentucky without great result; fought a drawn battle at Murfreesboro, gained a great victory at Chickamauga (September 19-20, 1863) and besieged Rosecrans in Chattanooga. Grant took command at Chattanooga, reinforced the army, defeated Bragg at Lookout Mountain and Missionary Ridge, and the Confederates retired into Georgia.

REVIEW QUESTIONS

1. What effect upon the Confederates in Virginia would spring from the loss of the Mississippi?
2. Discuss the following proposition: The death of General Johnston at Shiloh affected the future history of the South.
3. Why did it so happen that many battles in the Civil War began in favor of the Confederates and ended in Federal successes?
4. Discuss the effect of the Vicksburg surrender.
5. Was Butler right in confiscating property in order to provide for the poor?
6. Why should Banks wish to invade Texas?
7. What were the two purposes in Bragg's advance into Kentucky?
8. Which side, if either, could afford to fight a drawn battle, as Murfreesboro?
9. Explain how "extending lines" to outflank an army has an effect.
10. What effect should the permanent occupation of Chattanooga have on the war?

CHAPTER XXIII

STRATEGY OF THE WAR: EAST

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SOURCES. — *Official Records*; Humphrey, *Virginia Campaign*; McClellan, *Campaigns of Stuart's Cavalry*; Stephens, *War Between the States*; Grant, *Memoirs*; Walker, *History of the Second Army Corps*.

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OPERATIONS AGAINST RICHMOND

512.
McClellan's
Campaign,
1862; the
"Virginia"
and the
"Monitor"

General George B. McClellan, commander-in-chief of the Union armies, had spent the winter and early spring, 1861-62, in organizing an immense army near Washington. This general was a highly accomplished military engineer who thoroughly understood the advantage of even a small fortification to an army acting upon the defensive. He considered it unworthy in a general to throw away the lives of his men needlessly; he considered every point of attack and every line of retreat; and believed that he had no right to engage in battle unless he had a fair prospect of advantage. In-

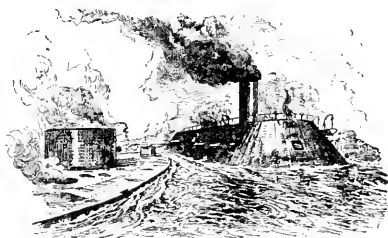


GEORGE B. MCCLELLAN

stead of advancing upon Richmond by the way of Manassas, where Joe Johnston's army was intrenched, he transferred his

troops by water to the peninsula formed by the James and the York rivers, took position before Yorktown, and began a siege of the Confederate fortifications defended at the time by General John B. Magruder. Meanwhile, General Johnston at Manassas, learning of McClellan's movement, was retreating toward Richmond in order to reënforce Magruder, for which purpose McClellan gave him sufficient time. The siege of Yorktown lasted from April 8 until May 4, McClellan choosing a slow and safe process, and refusing to sacrifice his men in a bloody assault. The Confederates retreated up the peninsula, and at Williamsburg, Johnston now in command, gave battle in order to save their wagon trains. The result, according to McClellan, was a great victory; according to Johnston likewise it was a victory, but for the Confederates. Johnston saved his wagon trains and retired upon Richmond.

In a measure, McClellan's slow movements may have been determined by an ironclad Confederate vessel¹ which was capable of blocking the passage of the whole Union fleet into the James river. On the 8th of March, the *Virginia* had come out into Hampton Roads and had attacked and destroyed two Federal frigates and retired without being injured. On



THE "MONITOR" AND THE "VIRGINIA"

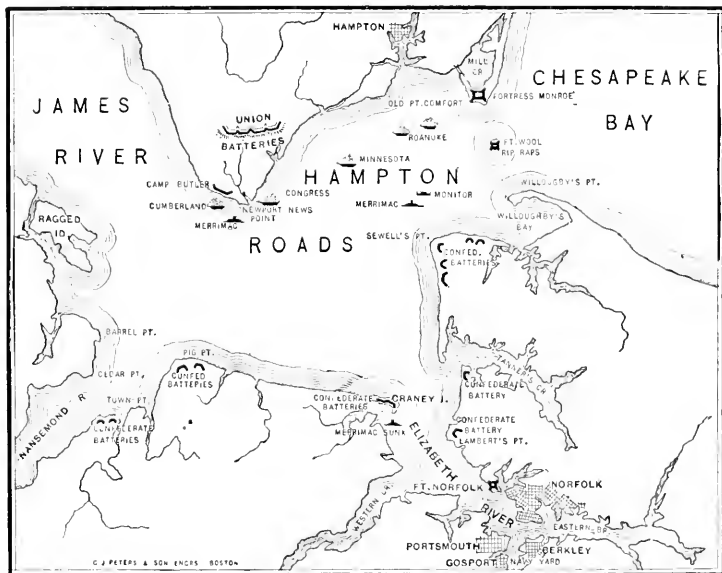
the next day she came out again to complete her work of destruction, but was met by a Federal vessel, named the *Monitor*, and a royal battle followed between the two, in which the *Monitor* was enabled to stand off in water too shallow for the *Virginia*, which consequently returned to her moorings. Neither vessel was seriously damaged, although they fought at close range for more than six hours. The *Virginia* came out again on

¹ The old U.S. frigate *Merrimac*, which had been greatly altered and named the *Virginia*.

April 11, in full view of part of McClellan's army, but did nothing except to aid smaller craft in effecting the capture of a few merchant vessels near shore. The *Virginia* was burned on May 11, to prevent her falling into the hands of the Federals.

513. Seven Pines and Fair Oaks, May-June

McClellan continued slowly to advance until he was within a few miles of Richmond. Here he halted and fortified, with part of his army on either side of the Chickahominy river.



MAP OF HAMPTON ROADS, VIRGINIA

On the 30th of May, General Johnston prepared to attack McClellan's left wing, and on the 31st, the Chickahominy rose in consequence of heavy rains. McClellan's left was then without support because his right wing could not be brought across the river. The attack on May 31 was made at Seven Pines and Fair Oaks Station, and both sides lost very heavily. The day ended with the success of the Confederates; by the next morning, however, the Federals were enabled to repair their bridges

and bring over to the help of the distressed left wing reinforcements from the right. The battle was renewed and resulted in restoring the Federal lines.

In this battle General Johnston was severely wounded, and General Robert E. Lee, who had for some time been serving as President Davis's military adviser, was appointed to the command of the forces, which became known as the Army of Northern Virginia. General McClellan, overestimating always the numbers of the Confederates, asked for reinforcements, and General McDowell, who had advanced as far as Fredericksburg, was ordered to join him.



"STONEWALL" JACKSON

On May 1, Stonewall Jackson was in the Shenandoah valley with about 14,000 men. Advancing toward him were Frémont from the west, and Banks from the north, while McDowell was between the Blue Ridge and Fredericksburg, all with a total force of perhaps 75,000 men. Suddenly, Jackson moved east through the Blue Ridge Gaps, but quickly turned again, and rapidly marched westward upon Frémont. On May 8, Jackson encountered the advance divisions of Frémont and overcame them. Then he turned again and marched down the valley to meet Banks's army, part of which he found at Front Royal and defeated. Banks at Strasburg immediately learned of the disaster to his division, and retreated in all haste down the valley, but while his army was in motion his flank was struck by Jackson, and his whole army driven to Winchester, and even beyond, for at Winchester, Ewell attacked him again and his force did not halt until it had crossed the Potomac. But by this time Frémont was in Jackson's rear.

514. Jackson's Shenandoah campaign

On June 8, at Cross Keys, Jackson turned and delivered battle to Frémont, and was again successful. Meantime, an army

under Shields had advanced upon him from the east; and on the night of the battle at Cross Keys, Jackson marched to meet Shields. The battle of Port Republic followed on June 9, and Shields was badly defeated.



J. E. B. STUART

The wonderful success of Jackson's campaign in the valley had caused great fear in Washington for the city, and President Lincoln countermanded the order for McDowell to reënforce McClellan, and commanded him instead to defend Washington against Jackson. On June 17, Jackson moved toward Richmond, and on June 25 arrived within a day's march of Lee's left flank. In the

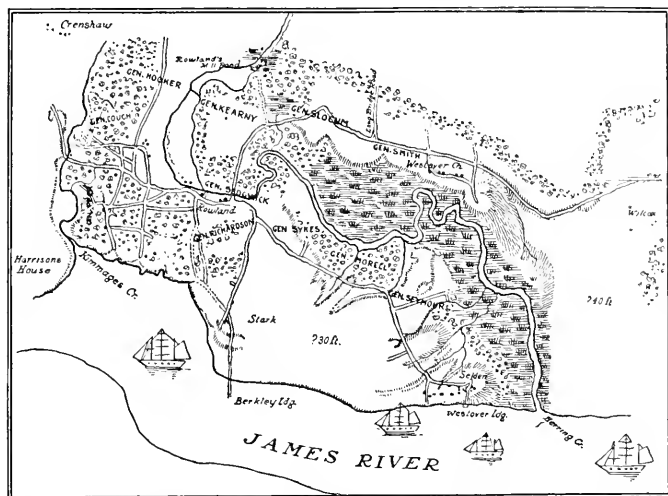
**515. Jack-
son with
Lee, June**

meantime, General Lee, having determined to attack McClellan, had ordered General Stuart, commanding the Confederate cavalry, to obtain information of the position of the Federals. Pursuant to this order General Stuart, with 1200 cavalry, had ridden entirely around McClellan's army from the west to the east and back into Richmond with the loss of but one man.

**516. The
seven days
battles,
June-July**

On June 26, General Lee threw forward Longstreet and the two Hills to the north of the Chickahominy and unsuccessfully attacked McClellan's right flank at Mechanicsville. In the night the Federals retreated down the Chickahominy and took up a strong position at Gaines's Mill, where, on the next day, the united forces of Lee and Jackson overcame the Federals under Fitz John Porter, after desperate fighting for many hours and the loss of thousands in killed and wounded. Porter was enabled by the falling of the night to withdraw his shattered forces to the south of the Chickahominy. McClellan decided to retreat to the protection of his gunboats on James river. He abandoned his base of supplies at White House on York river, and though terribly pressed all the way, succeeded in

saving his army. Great battles were fought during the retreat, and in the last battle, at Malvern Hill, on July 1, the Confederates, attacking an almost impregnable position, were



POSITION OF THE ARMY OF THE POTOMAC AT HARRISON'S LANDING, VA., 1862

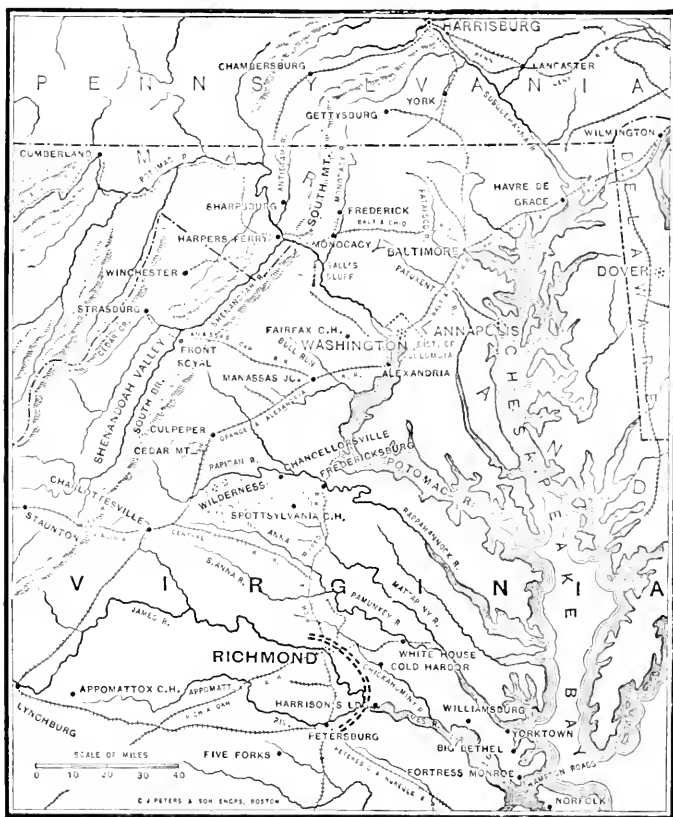
repulsed with great loss. The next day, however, found McClellan's army crowded together at Harrison's Landing on the James river under protection of the Federal fleet.

General John Pope, whom President Lincoln had placed in command of the army being formed for the protection of Washington (506), was between Culpeper and Manassas; and McClellan's army was being transferred by water to Alexandria. Lee, learning that the danger was now from the north rather than from the east, sent Jackson's corps to meet Pope's advance, and soon followed with the remainder of his army. Jackson met Pope at Cedar Mountain on August 9, and after a contest which lasted until night, Pope withdrew.

General Pope's army lay behind the Rappahannock. Lee ordered Jackson to march around its right flank, and get in its rear at Manassas. Following Jackson with an interval of

517. Battle
of Cedar
Mountain

518. Sec-
ond Battle of
Manassas,
August
28-30



MAP OF CAMPAIGNS IN VIRGINIA

a day's march, came Longstreet's corps. Jackson took Bristoe Station and Manassas Junction on the night of August 26, and now his whole corps was on the railroad directly between Pope and Washington city. On August 29, Pope's army attacked Jackson, but could not dislodge him, and on the next day Lee's whole army attacked Pope's on the old battleground of Bull Run and drove it from the field with immense losses.

519. Lee in Maryland; Sharpsburg While Pope's shattered army was reorganizing at Washington, Lee crossed the Potomac at White's Ford on September 4, and

occupied Frederick. Meanwhile, McClellan's army was arriving at Alexandria; in fact, its division under Fitz John Porter had reached Pope in time to take part in the battle of Manassas. Immediately preceding that battle President Lincoln had removed McClellan from the command of the army, but now, pressed by misfortune, he yielded to the popular clamor and placed McClellan at the head of the united armies. McClellan, very proficient as an organizer, soon restored confidence, and advanced slowly upon Lee, completing his organization as he moved. On September 9, Lee detached Jackson's corps for operations on the south side of the Potomac against Harper's Ferry, held by 11,000 Union troops. Harper's Ferry, with all its garrison, was surrendered to Jackson on September 15. Meanwhile, Lee's remaining forces in Maryland, less than 30,000 men, were slowly retiring before McClellan, and on the night of September 16, the two armies confronted each other on the opposite sides of Antietam creek. On the 17th, McClellan's army of about 70,000 men advanced upon Lee at Sharpsburg, and the bloodiest single day of the whole war resulted in some 30,000 killed and wounded. Part of Jackson's corps had reached Lee before the battle, and part of it had made a forced march of seventeen miles from Harper's Ferry while the battle was raging. All night and the next day, Lee remained in position, but McClellan did not advance, and on September 19, Lee retired to the Virginia side of the Potomac. The Federals claimed a victory, and it was now that President Lincoln issued his preliminary proclamation in

or Antietam,
September
17



ROBERT E. LEE

regard to the slaves in the territory still in arms against the United States (483).

520. The
Burnside
campaign;
Fredericks-
burg, De-
cember 13

Lee's army encamped around Bunker Hill in the valley of Virginia, and McClellan's army remained in Maryland until November. While the armies were in these positions, General Stuart again rode entirely around McClellan's army, fording the Potomac twice in doing so, and escaped without serious losses. President Lincoln was greatly displeased because of McClellan's continued inactivity; and McClellan at last advanced on the east side of the Blue Ridge, forcing Lee to retreat up the valley in order to place his army between McClellan and Richmond. Late in November, President Lincoln removed McClellan, and appointed General A. E. Burnside instead. Burnside at once marched upon Fredericksburg, intending to cross the Rappahannock immediately and move against Richmond by the direct road; but when he was ready to cross he found Lee in front of him. Burnside crossed, however, on December 10-11, and on the 13th made a series of desperate attacks upon Lee's almost impregnable position. He was defeated with terrible loss, and retired to the north side of the river. In this battle, as well as in others, General George G. Meade distinguished himself.

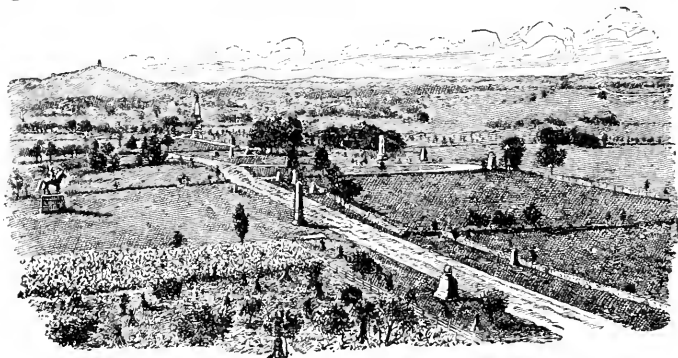
521. Battle
of Chancel-
lorsville,
May, 1863

Both armies now went into winter quarters, making huts of pine logs and clay, and roofed with tent cloths. Very likely the Confederate army was in no better situation to endure the winter than Washington's had been at Valley Forge. Lee's army had been reduced to 55,000 men in consequence of detaching Longstreet to operate against Suffolk, when General Hooker, who had superseded Burnside, advanced by the right flank up the Rappahannock, crossed it, and took position at Chancellorsville, ten miles distant upon Lee's left. Lee accepted the challenge of an army more than twice as great as his own, and within three days, May 2-4, had defeated it and sent it back across the Rappahannock. Here, however, Lee lost Stonewall Jackson, his most valued lieutenant.

The middle of June, 1863, found Lee's army marching down

the Shenandoah valley. Ewell defeated Milroy at Winchester on June 14 and 15, and crossed the Potomac. At Gettysburg, Pennsylvania, on July 1-3, the Confederates under Lee fought a great battle with the Federals under General George G. Meade, who had superseded Hooker only four days previously. The first day went against the Federals; the second day was a slaughter in which nothing was determined; on July 3, Lee attacked Cemetery Hill. At one o'clock more than a hundred Confederate guns opened upon Meade's center; the Federals replied with eighty cannon; for two hours the artillery combat raged; then there was silence, and 15,000 veteran infantry,

522. Gettysburg, July, 1863



GETTYSBURG NATIONAL MILITARY PARK

under Pickett and Pettigrew and Trimble, marched against the veteran divisions of Hancock's corps aided by staunch support to right and left, all easily discernible across the open space of almost a mile. The Confederate troops came down Seminary Ridge in long line of battle, and into the open, their arms glittering in the three o'clock sunlight, their ranks orderly, saving their strength for the charge that was yet to be made. Batteries played upon them from front, from left oblique, and from right oblique; but they marched on at quick-step with the shells bursting overhead and in their ranks. They reached the depression and marched on; the climbing of three fences that obstructed their march caused loss of time and temporary disorganization under the murderous fire that was breaking them to pieces; but they passed the fences and began to march

up Cemetery Hill. Then they came under infantry fire, with the batteries always at work upon them. Three hundred yards of open ground must yet be crossed, and at the other side, behind the stone walls Hancock's corps was firing as fast as cannon and musket could be loaded. What was left of the line charged, and melted away before it reached the Federals. A few lived through the terrible fire and fell at the foot of the wall; fewer still mounted the wall and never returned.

523. Lee at Hagerstown, July Lee could no longer continue the struggle; artillery ammunition was lacking. He remained in line, facing Meade, until the night of July 4, when he began his retreat into Virginia. At Hagerstown, Maryland, he again confronted Meade from the 7th to the 13th of July before he crossed the Potomac into Virginia. The failure of Meade to attack Lee caused President Lincoln great disappointment; but it afterward became clear that General Meade was right in refusing to risk a battle at Hagerstown.

524. Bristoe; Mine Run Meade followed Lee into Virginia, and the armies faced each other across the Rapidan until October 10, when Lee suddenly threw A. P. Hill's corps ahead of the advancing army far up the river with orders to gain Meade's rear by the road on which Jackson had marched around Pope in the preceding year. But Meade learned of the movement in time to fall back to Centreville. On his retreat, Warren, commanding the rear guard at Bristoe, was attacked by A. P. Hill, and fought a successful combat. Lee gave up the pursuit, and again retired behind the Rapidan. Late in November Meade advanced by his left, crossed at Germanna Ford, and took position for battle at Mine Run, where Lee confronted him until December 1, when Meade withdrew to the north bank without bringing on a general engagement.

COMBINED OPERATIONS AGAINST RICHMOND

525. Grant commander-in-chief, 1864 Early in March, 1864, President Lincoln ordered General Grant to Washington, and appointed him commander-in-chief of all the armies, with the rank of lieutenant-general. Grant

immediately gave Sherman the command of the Federal army in the West, and arranged for a simultaneous movement in four directions upon Richmond. The Army of the Potomac, under the immediate command of General Meade, was to make a direct advance through northern Virginia; the Army of the James, under Butler, at Fort Monroe, was to advance up the James river, on the south side, against Petersburg and Richmond. An army under Sigel was to move up the Shenandoah valley and destroy the Virginia and Tennessee railroad in order to prevent supplies from reaching Richmond and Lee's army, and then move against the capital. Meanwhile, General Sherman should coöperate with Grant by moving from Chattanooga upon Atlanta, defended by Johnston, who had superseded Bragg.¹ All these movements were to begin at the same time in order to prevent any inactive Confederate army from sending reënforcements to points of danger.

Pursuant to Grant's orders, Butler advanced up the James river, landed his troops on the south bank, and began to march on Petersburg. He was met, however, by General Beauregard, with forces which had been hastily collected from the Carolinas, and was repulsed with considerable loss. Beauregard then intrenched from the James to the Appomattox in front of Butler, so that the Union general was upon a peninsula, the neck of which was occupied by the Confederates behind fortifications. The soldiers said Butler was "bottled up." As for Sigel, that commander advanced up the Shenandoah valley, encountered a force of Confederates under Breckinridge at New Market, was worsted, and was compelled to retreat down the Valley. He was succeeded by General Hunter, who accomplished the destruction of the railroad.

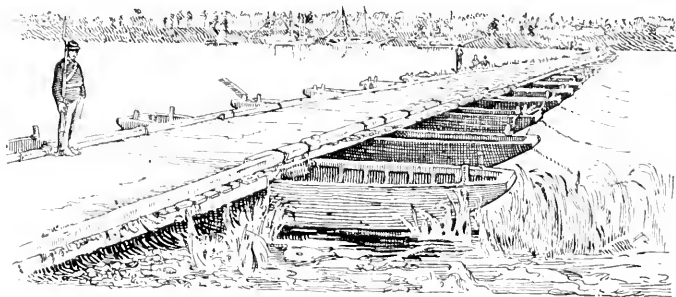
Almost simultaneously with the movements of Sigel and Butler, General Meade's army, with which General Grant kept his headquarters, advanced by the left flank, crossed the Rap-

**526. But-
ler's ad-
vance;
Sigel's
advance;
May**

**527. Ad-
vance of
the Army
of the
Potomac,
May**

¹ From *Personal Memoirs of U. S. Grant*. — "Lee, with the capital of the Confederacy, was the main end to which all were working. Johnston, with Atlanta, was an important obstacle in the way of our accomplishing the result aimed at, and was therefore almost an independent objective."

idan at Germanna Ford, and took position at Chancellorsville on the night of May 4. General Lee's army fell upon Grant and Meade in the Wilderness on the two succeeding days, and paralyzed all effort of the Federals to maneuver. The two days battle had been favorable to the Confederates, but Grant ordered Meade on May 8 to continue the movement by the left flank toward Richmond. At Spottsylvania Courthouse they found Lee in front, and from the 10th to the 21st of May a series of terrible battles took place, in which both sides lost



PONTOON BRIDGE ON THE JAMES RIVER

From the North side; 68 boats

heavily. Meantime the cavalry of the two armies had fought at Yellow Tavern. Stuart fell, and Hampton succeeded him.

Again the Army of the Potomac moved by its left flank, endeavoring to gain ground toward Richmond, but at the North Anna found itself once more confronted by Lee. Meade's army then crossed the Pamunkey and marched to the Chickahominy, and on the same ground where Fitz John Porter had been defeated almost two years previously, Grant ordered a general assault by Meade's army upon Lee behind intrenchments, and within an hour had lost 10,000 men. The losses of Meade and Butler since they began to advance had been about 61,000 men.

528. Grant
before
Petersburg,
June

Still, the ratio of Meade's strength to Lee's was greater than at the beginning of the campaign, for the Federal army had been reënforced by almost as many men as it had lost, while there

could be no such help for Lee. After the battle on the Chickahominy, Grant pushed forward Meade's left again, crossed the James river, and suddenly attacked Petersburg. The town was stoutly defended by the few troops that could be collected, and was held until the advance divisions of Lee marched upon the field. Then Grant, with the Army of the James under Butler, and the Army of the Potomac under Meade, sat down before Petersburg with his right wing stretched beyond the James river, threatening Richmond; and his left wing stretched far south of the Appomattox river, threatening Petersburg; and both Federals and Confederates fortified and remained confronting each other for many months, with almost numberless combats occurring at different points along the lines of forty miles, Grant's relative strength constantly increasing, and Lee's army wearing away with the labor of watching and fighting an army three times as strong.

CAMPAIGNS IN GEORGIA AND TENNESSEE

Sherman advanced against Johnston at Dalton, at the same time that Meade's army had advanced, and Johnston fell back after a combat at Resaca. Again Sherman came forward, and after a partial engagement at New Hope Church, Johnston fell back to Kennesaw mountain, where for almost two weeks the armies were in close contact, without, however, a general engagement being fought. On June 27, Sherman ordered a general assault, which was repulsed with heavy loss. Johnston, however, retired farther, and crossed the Chattahoochee. Johnston was regarded in the South as the greatest general in the country next to Lee. In fact, a good many believed him the greatest of all. He saved his men. He would retire rather than fight at a disadvantage. Sherman acknowledged his skill and his generalship. The Federals in this campaign had almost twice as many men as the Confederates. Sherman still advanced and crossed the Chattahoochee, and here President Davis, because of Johnston's disinclination to fight without prospect of victory, placed General Hood in command of the army.

529. Sherman's campaign

530. Battles of Atlanta

General Hood at once assumed the offensive. President Davis wished him to fight and he fought. On the 20th of July, Hood attacked Sherman and was repulsed. On the 22d of July, Hood again attacked, and was repulsed with very great loss. Again, on the 28th, Hood delivered an assault, which was easily repulsed. These battles had so weakened the Confederate army that Sherman was enabled to throw strong forces toward the railroad at the south, and the movement forced Hood to evacuate Atlanta, which Sherman promptly occupied.

531. Hood's Tennessee campaign; Sherman's march through Georgia

Hood then began to march northward, believing that an advance into Tennessee would force Sherman to withdraw from Atlanta in order to protect his communications. Sherman followed, but not long. He soon determined that there were sufficient forces in northern Georgia and Tennessee to deal with Hood, and began to prepare for a march upon Savannah first, and then upon Richmond. On November 12, Sherman set out upon his march through Georgia, lay-



POTTER HOUSE, ATLANTA, SHOWING
EFFECTS OF BOMBARDMENT

ing waste the country as he went, for a breadth of sixty miles. On December 21, he occupied Savannah, which had been evacuated by a few troops under General Hardee, who crossed into South Carolina.

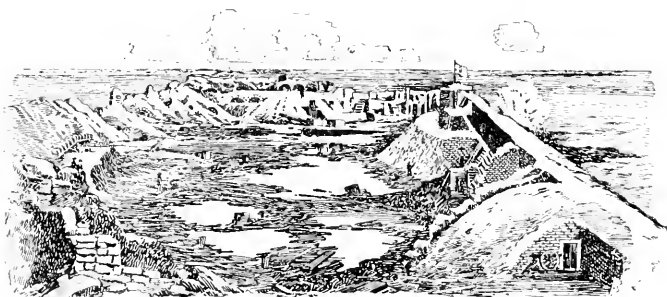
532. Battles of Franklin and Nashville

Hood advanced into Tennessee, and at Franklin, on November 30, attacked behind strong intrenchments General Schofield, his old classmate at West Point, and lost some 6,000 men; then, Schofield having withdrawn to form a junction with Thomas, his superior, Hood pushed on toward Nashville, held by Thomas's army, and sat down before the city. Thomas waited for reinforcements, and on December 15 marched out and attacked Hood and gained a complete victory.

THE CLOSING CAMPAIGNS

From Savannah Sherman's army moved into South Carolina, and that unfortunate state was made to feel a severity unusual in modern warfare. Columbia was occupied and burned. Sherman's movement in the rear of Charleston forced the evacuation of the city and the fall of Fort Sumter, which a few men had heroically defended against bombardments and

533. Sherman's marches northward



FORT SUMTER AFTER THE BOMBARDMENT, DEC. 9, 1863

assaults by the Federal fleets and armies until its walls were a mass of ruins. From Columbia, Sherman advanced into North Carolina, and, at Bentonville, again came into contact with General Joe Johnston, who had been restored to command, in a battle which had no decisive result.

Hunter's destruction had not been confined to the Virginia and Tennessee railroad (**526**); dwellings, barns, mills, and all kinds of private property had been burned. Lee determined to drive him from the Valley, and in June General Early, with a corps from the Army of Northern Virginia, marched upon Hunter, who at once retreated westward into the mountains. There being no other Federal troops between his force and Maryland, Early, pursuant to the orders of Lee, crossed the Potomac river, defeated General Lew Wallace at Monocacy, and suddenly appeared before the fortified lines of Washington. He made ready to attack, but before his preparations were

534. Early threatens Washington

complete he was in great danger of being surrounded, and he decided to retreat into Virginia. Not long thereafter Early sent his cavalry into Pennsylvania. Chambersburg was burned, as a measure of retaliation, according to Early, for Hunter's destruction in the Shenandoah valley.

535. Sheridan and Early —
Sept.-Oct.
1864

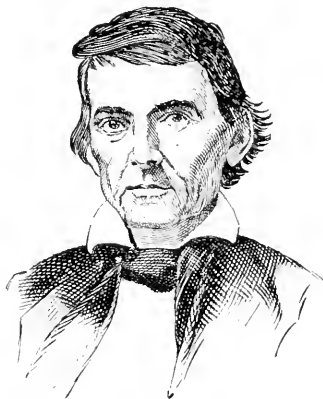
Grant ordered General Sheridan with a powerful force to proceed to the Shenandoah valley, drive out Early, and lay waste the country. Near Winchester, Early was defeated; he made a stand at Fisher's Hill, only to suffer another disaster. Early's army then retreated far up the Valley, and Sheridan obeyed Grant's orders to devastate the country.

A month later, at Cedar Creek, Early surprised Sheridan's army at daybreak, took its camp, and his men proceeded to enjoy themselves. While they were in this condition the Federals rallied, recovered their camp, and gained a substantial victory.

536. The Hampton Roads conference —
Feb., 1865

With but a weak force to confront Sherman's veteran army in North Carolina, with still less to oppose Sheridan in the Valley, with but 40,000 men under Lee to resist Grant's two armies under Meade and Butler before Richmond and Petersburg, the military situation of the Confederacy was hopeless. Her forces were finding daily augmenting difficulty in meeting in the open field Federals armed with the terrible Spencer magazine rifle; her navy had almost utterly perished with the sinking of the *Alabama* by the *Kearsarge* in June, 1864; her armies were rapidly dwindling without the possibility of recruitment, while with negro troops alone the Federal armies had been increased by 100,000 men in the past twelve months. The resources of the North were seemingly exhaustless, and the civilized world was at her financial beck and call; while the Southern army before Petersburg was suffering for want of food. Peace, with honor for the South, had to a few men seemed possible; a commission had been appointed to confer with President Lincoln; and in February, A. H. Stephens, John A. Campbell, and R. M. T. Hunter were allowed to pass through Grant's lines as far as Hampton Roads, where they held a conference of four hours with Mr. Lincoln and Mr. Seward.

Mr. Stephens, the Confederate vice-president, introduced the subject of the Monroe Doctrine (346); he cited the well-known fact that the republic in Mexico had been overthrown by a French army, acting under the authority and orders of Emperor Napoleon III; that as a monarch, Maximilian I now reigned in Mexico, sustained by European bayonets; and proposed to Mr. Lincoln that an armistice be agreed upon between the North and the South in order that the Monroe Doctrine be reasserted and a republic be reëstablished beyond the Rio Grande. Mr. Stephens further developed his thought; the armistice would give time for men's passions to cool; the upholding of the Monroe Doctrine would restore a degree of sympathy between the sections, and the hoped-for result of the armistice would be peace.



ALEXANDER H. STEPHENS

Evidently, Mr. Lincoln sympathized; but he felt forced to declare that no step could be taken until the South ceased its resistance to the Union.

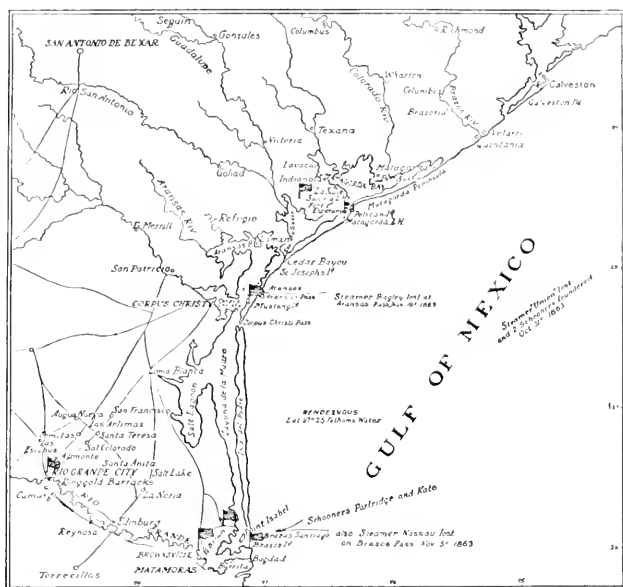
The capture of Fort Fisher, and the consequent fall of Wilmington, rendered the blockade complete; the Confederacy was now shut in from all the world except upon the Mexican border, where such a thriving commerce had by this time developed, that General Lew Wallace, on March 14, wrote to Grant: "Neither the port of New Orleans nor that of Baltimore can present to-day such a promise of commercial activity" as Brazos Santiago—the harbor near the mouth of the Rio Grande.

General Wallace, even before the Hampton Roads conference, knowing somewhat of the secret diplomacy which was leading up to it, became desirous to try his persuasive powers

537. The
blockade
complete

538. Effort
to gain
Texas

upon Texas. Grant gave his permission, and Wallace left his command in Maryland and proceeded to New Orleans, and thence to Brazos Santiago, where he soon obtained an interview with a Confederate brigadier-general, who agreed to transmit



TEXAS COAST

Showing points of occupation under Gen. N. P. Banks, November, 1863

to his superior in command a schedule of terms upon which the trans-Mississippi states would be received back into the Union. The document was forwarded to General John G. Walker, commanding at Houston, who at once denounced the effort to detach Texas from the Confederacy as a proposition to induce the "blackest treason," and on March 27 wrote Wallace a rejection of his "insidious proposals."

On March 4, 1865, Mr. Lincoln began his second term as president, having received the electoral votes of all the states

except Delaware, New Jersey, and Kentucky, which cast their votes for General George B. McClellan, the Democratic candidate. The vice-president for Mr. Lincoln's second term was Andrew Johnson, the military governor of Tennessee, a southern statesman who adhered to the Union rather than to his own state.

539. Lincoln's second inauguration

General Lee and President Davis knew that Richmond and Petersburg could not be held after the roads became sufficiently dry for Grant's army to move. Still, Lee would not retreat without first delivering a blow; and on March 25, before dawn, General John B. Gordon led an attack on Fort Stedman. With unloaded muskets the troops went forward and seized the fortress; but daylight revealed that it was dominated by other batteries, which at once began to work upon the Confederates. Retreat or surrender were the alternatives; and in the retreat Gordon lost many men.

540. Assault on Fort Stedman

On March 27, Sheridan, with two divisions of cavalry, formed a junction with the Army of the James and the Army of the Potomac. Sheridan had marched his cavalry overland, destroying as he came, while his infantry were transferred by water. Grant's entire force was now about 120,000 and Lee's 39,000.

541. Sheridan's army reenforces Grant

Pickett's infantry division, and Fitzhugh Lee's cavalry, holding the right rear of the Confederate army, were defeated on March 31, at Five Forks, by Sheridan and Warren.

542. The fall of Richmond

Meanwhile, Grant had cannonaded Lee's lines night and day; and before dawn on April 2 he threw forward his troops in direct attacks and easily drove the thin Confederate line from its advanced position near Petersburg. On this morning, General A. P. Hill was killed; but his troops rallied in the interior fortifications; the terrible defence of Forts Gregg and Whitworth gave time for evacuating the lines of Richmond; and at nightfall the army was in full retreat, with Meade, Sheridan, and Ord (commanding the Army of the James) vigorously pursuing. In these tremendous events Lee's generalship was displayed all the more because of his weakness. To evacuate Richmond, and unite his forces from the north side of the James with those on the south side of the Appomattox while both columns were

retreating before a victorious army, add to the fame of the great Southern general, yet detract nothing from that of his adversary.

543. Lee's
retreat

At first, the retreat was directed toward forming a junction with Johnston. But the food supply failed; at Amelia Courthouse, where Lee had ordered supplies brought from Danville for this emergency, he learned, to his overwhelming disappointment, that the supply trains had not stopped there but had gone on into Richmond. There was nothing to do but continue the retreat in the hope of living on a country that had already been exhausted. Combats were fought each day; the men—those that were left—responded as of old to the call for battle, but human endurance had reached its limit when Lee found Sheridan obstructing his road on the 9th of April, while Grant's infantry were pressing on almost every side.

544. Appo-
mattox,
April 9,
1865

The surrender at Appomattox displayed the nobility of both commanders. There was no petty demand for the defeated general's sword; there was, instead, every mark of true consideration for unfortunate valor and genius, and the fine manliness of Grant challenged and won the admiration and good-will of every Confederate soldier.



CONFEDERATE SOLDIER
IN UNIFORM

Men cannot always, if ever, know what is best; yet it would seem that for the South to fight unto utter exhaustion, was the way to command the respect of the Northern people. If, on September 18, 1862, McClellan had advanced vigorously against Lee's crippled army backed against the Potomac, probably the war would have soon ended, but if the strong South of that day had yielded, she would forever have been contemptible. On the other hand, it may easily be believed that the Federal bullet which cut the thread of Sidney Johnston's life, or the Confederate bullet which laid Stonewall Jackson low, prevented an overwhelming Southern victory that might have led to peace

with separation. So, too, it is conceivable that through panic, or through the loss of some great commander, the Union army should have failed to resist Lee's attack on July 3, 1864, and left the road open to Washington and to enforced peace. There were many times, perhaps hundreds of times, in that war, when it seemed to human eyes that the mightiest events turned upon the mental condition of a man. Jackson was shot down by his own men at the very moment when his life was of most importance to the cause for which he fought; and the fact that Longstreet was shot one year later, in the same forest, by his own men, and at the precise instant when his leadership was equal to a great victory, multiplies many times the force of argument that the American Union owes its preservation to the Divinity that shapes our ends. And yet it was but the form of union, and not Union itself, that was recovered at Appomattox. In its power to restore a union of minds and hearts, the ability of Grant, the general, cannot be compared with the magnanimity of Grant, the man. Union came, but not from bayonets; it came at length, when passion ceased, and men on both sides put away prejudice, and learned to appreciate each other, made mutual confession, and freely forgave.

Though it be true that men cannot always know what is best, it is yet true that the future may approve or condemn their judgment. The fatuous creature who slew Lincoln did untold harm to the South. The successor to the presidency, a Southerner, without prestige, unapt and powerless in face of the extreme condition, though honestly endeavoring to follow Mr. Lincoln's programme for restoring the civic functions of the South, proved utterly unable to control or even guide; perhaps there was no man on earth, who, at that moment of despair on one side and jubilant arrogance on the other, could have given direction to the influence of justice and good-will. Amidst the general delirium that marked the actions and words of common men of great rank, Lincoln's sanity was all the more remarkable. His word would have been law to his followers; he could have controlled the tempest that broke against the

**545. Death
of Presi-
dent
Lincoln;
Johnson
president**

South; but he, the man that would have proved her strongest help, fell before the weapon of an assassin who vainly had fancied that he was avenging the Confederacy. Lincoln's loss was truly mourned by the Southern people, and they had cause to mourn.

546. The
end of the
Confed-
eracy

The surrender of Johnston to Sherman quickly followed that of Lee to Grant; and within a few weeks the Western armies yielded and the paroled Confederate soldiers returned to their poor homes, to begin a new life that looked to many of them a worse fate than had found those of their comrades who were sleeping forever beneath the sod on hundreds of battlefields. Few officials of the extinct Confederacy felt in their persons the oppression of military power. Mr. Davis was arrested and long kept in prison, but in the end was released without trial. Mr. Stephens, Postmaster-General Reagan, and a few others were subjected to a short imprisonment.

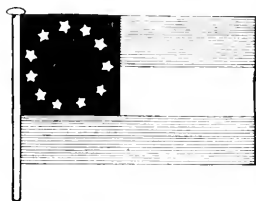
SUMMARY

McClellan advanced (1862) against Richmond by the Peninsular route, and at Seven Pines fought a two days' battle against J. E. Johnston, who was wounded. The command of the Confederate army devolved on R. E. Lee. Stonewall Jackson defeated the Federal armies in the Shenandoah valley, and made a junction with Lee. Stuart had ridden around McClellan's army. Lee attacked McClellan, June 26-July 2, and won the campaign. Lee advanced against Pope in August, defeated him on the battlefield of Manassas, and marched into Maryland. Jackson took Harper's Ferry and rejoined Lee in Maryland. McClellan attacked Lee at Sharpsburg September 17, but Lee held his position until September 19, then retired into Virginia. Burnside succeeded McClellan and was defeated by Lee at Fredericksburg. In 1863 Hooker succeeded Burnside, and advanced to Chancellorsville, where Lee attacked and defeated him. Meade succeeded Hooker. Lee attacked Meade for three successive days at Gettysburg; failing to dislodge him, Lee retired into Virginia. In 1864, Grant, commanding three armies led by Meade, Butler, and Sigel, succeeded by Hunter, advanced against Lee, who attacked Meade while in the Wilderness, and gained the advantage. Grant's forces continued to envelop Richmond. Great battles were fought, and the siege of Richmond and Petersburg developed. Meantime, Sherman had advanced from Chattanooga against Bragg's army, now commanded by J. E. Johnston, who

retired fighting upon Atlanta. Johnston was succeeded by Hood, who attacked Sherman and was defeated. Atlanta fell. Hood marched into Tennessee and was defeated by Thomas at Nashville. Sherman marched to Savannah, and in 1865 advanced through the Carolinas to unite with Grant's armies before Petersburg. Lee evacuated his lines, and endeavored to form a junction with Johnston in North Carolina; but was forced to surrender at Appomattox. Lee's surrender was followed by Johnston's to Sherman, and the commands west of the Mississippi gave up the struggle. President Lincoln was assassinated in Washington on April 14, and Andrew Johnson became president.

REVIEW QUESTIONS

1. Give your idea of good generalship. 2. Why should Mr. Lincoln have so great fear in regard to Washington? 3. Explain why two battles more than a year apart were fought at Manassas, and a third at Bristoe Station very near Manassas? 4. What power has the president over a general? How should this power be used? 5. Describe Grant's plans for the campaign of 1864. 6. Explain Grant's hammering, or attrition process and its necessary results. 7. Should the South have yielded in 1862; in 1863; in 1864? 8. Could Mr. Lincoln, with consistency, have accepted the plan proposed by Mr. Stephens in the Hampton Roads conference? 9. Could Texas alone have made terms with the United States, and maintained her honor? 10. If the Confederacy had succeeded in the war do you think the Southern states would have come back into the Union at any time? Discuss.



THE CONFEDERATE FLAG

CHAPTER XXIV

RECONSTRUCTION — 1865-1876

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OPPOSING POLICIES

547. A new
or an old
relation?

Even before the war had closed, farseeing statesmen felt that the triumph of the Union arms would not overcome all national difficulties arising from the South's struggle for independence. How should the South be dealt with? What should be done with the negroes? Were all the citizens to be treated alike irrespective of their attitude toward the secession movement? And first of all, what was the relation of the seceded states to the Union? All these questions would be immediately pertinent when the war should cease with the destruction of the Confederacy, and would offer possibilities for serious division. Indeed, on the last question at least, there was already a difference of opinion among the leaders of the Republican party.

548. Sum-
ner's view,
1862;
Lincoln's
view; his
proclama-
tion

Senator Charles Sumner, in a speech before the United States Senate in 1862, set forth the state-suicide theory, and further elaborated that doctrine the next year when he declared, among other things, that "clearly, the Rebels, by utmost efforts, could not impair the national jurisdiction; but it remains to be seen if their enmity did not act back with fatal rebound upon those very state rights in behalf of which they commenced their treason. . . It is enough that, for the time being, and in the absence of a loyal government, they can take no part, and per-

form no function in the Union, so that they cannot be recognized by the national government. . . The new governments can all be organized by Congress, which is the natural guardian of people without any immediate government, and within the jurisdiction of the United States. . . And the whole Rebel region, deprived of all local government, lapses under the exclusive jurisdiction of Congress. . . The whole broad Rebel region is *tabula rasa*, or 'a clean slate,' where Congress, under the Constitution of the United States, may write the laws. . . When a state fails to maintain a republican government with officers sworn according to the requirements of the Constitution, it ceases to be a constitutional state."

In plain contrast with this view is the proclamation of President Lincoln in the same year: "Whereas a rebellion now exists whereby the loyal state governments of several states have for a long time been subverted, and many persons have committed, and are now guilty of, treason against the United States; . . I, Abraham Lincoln, President of the United States, . . do further proclaim, declare, and make known that whenever, in the states of Arkansas, Texas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, South Carolina, and North Carolina, a number of persons, not less than one-tenth in number of the votes cast in such state at the presidential election of the year of our Lord one thousand eight hundred and sixty, each having taken the oath aforesaid and not having since violated it, and being a qualified voter by the election law of the state existing immediately before the so-called act of secession and excluding all others, shall reestablish a state government which shall be republican and in no wise contravening said oath, such shall be recognized as the true government of the state, and the state shall receive thereunder the benefits of the constitutional provision which declares that the 'United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion; and, on application of the legislature, or the executive (when the legislature cannot be convened) against domestic violence'. . . Any

provision which may be adopted by such state government in relation to the freed people of such state, which shall recognize and declare a permanent freedom, provide for their education, and which may yet be consistent as a temporary arrangement with their present condition as a laboring, landless, and homeless class, will not be objected to by the national executive." The inference is that Lincoln meant to follow a conciliatory policy toward the South; had he lived, he might have saved the Southern people many hardships and much embarrassment. Lincoln considered that Arkansas, Tennessee, and Louisiana had returned to their "proper practical relation" before the war closed, for under the stress of war, the differences of opinion in Congress had not become so pronounced as to be obstructive in their nature. The administration proceeded orderly enough, though with haltings on the part of Congress, with a consistent policy, the purpose of which was a final reconstruction of the Union. Slavery was abolished in the District of Columbia, the Fugitive Slave Law was repealed, and freedom was given those negroes who served with the Federal armies.

**549. The
Thirteenth
Amend-
ment**

In April, 1864, the United States Senate proposed a constitutional amendment formally abolishing slavery. There was not in the House the necessary two-thirds majority in its favor, and the proposal failed for the time. But in January, 1865, it was carried and, with the aid of the Southern states, it was ratified by the necessary three-fourths of the states, and became the thirteenth amendment on December 18, 1865. It provided that "neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." This amendment had been secured through the persistent efforts of President Lincoln, and did not satisfy many of his party who found difficulty in subjecting passion to reason.

Moreover, in his second inaugural address, March 4, 1865, Lincoln had shown the forgiving spirit when he said, "With malice towards none, with charity for all; with firmness in the

right, as God gives us to see the right, let us strive on to finish the work we are in."

Men like Chase and Stevens could not understand the mild temper and pacific policy of Lincoln, and began planning "to thrust their hands into Southern affairs to control them, to make good the freedom and privilege of the negroes even at the cost of all privilege to those who had been their masters."

550. Oppo-
sition to
Lincoln's
policy

The viewpoint of these headstrong partisans is fully expressed in the declaration of Thaddeus Stevens that the Southern states "ought never to be recognized as capable of acting in the Union, or of being recognized as valid states, until the Constitution should have been so amended as to make it what its makers intended, and *so as to secure perpetual ascendancy to the party of the Union.*" With such proclivities, they chafed considerably because the president so tactfully restrained the radical sentiment of the country, and so effectually hindered their designs in Congress. When Lincoln was assassinated the balance wheel of the administration's machinery was lost.



ANDREW JOHNSON

Johnson wished to continue practically the same broad and generous policy that his predecessor had begun, and, therefore, naturally came into conflict with the leaders of the Republican party. But there were other sources of discord. In the first place he was known to be a Democrat who had been elected vice-president by the Republicans because such selection would tend, it was thought, to promote Union sentiment in the Border states (476, 497). He could not, therefore, reasonably be expected to become an efficient and wise party leader, though Benjamin Wade, a prominent radical senator, did ejaculate

551. The
new presi-
dent; his
policy —
1865

soon after Johnson's inauguration: "Johnson, we have faith in you. By the gods! there will be no trouble now in running the government." But circumstances proved that he had reckoned without his host.

Then, too, Johnson, like Lincoln, had a will of his own. But, unlike Lincoln, he lacked poise and tact. Reared in the mountains of eastern Tennessee, he carried with him into the executive office the rugged and uncompromising character of the mountaineer. Thoroughly consistent, he now, as president, was governed by one ideal — the preservation of the Union. In his Washington's Birthday speech (1866) he declared that "there were two parties. One would destroy the government to preserve slavery. The other would break up the government to destroy slavery. . . . They agreed in one thing — the destruction of the government, precisely what I was always opposed to."

**552. Johnson's
amnesty
proclamation**

Holding this sentiment, Johnson began his work as president with an amnesty proclamation similar to that issued almost three years earlier by President Lincoln, though it was slightly more thorough-going in its dealings with Confederate officials. Under the provisions of this executive proclamation, and acting with the knowledge that the Southern states had been asked by Congress to ratify the thirteenth amendment,¹ such voters in the seceded states as could take the oath held constitutional conventions (1865) and adopted fundamental laws abolishing slavery and establishing republican forms of government.²

Accordingly, they expected representation in this Congress, which convened in December of that year.

**553. The
freedmen;
vagrancy
laws**

But just here their plans went awry, and their expectations came to nought; and so did those of the president. The legislatures chosen in accordance with these new constitutions were proceeding to solve, in their own way, a problem which to them

¹ It should be borne in mind that Congress had unwittingly recognized the validity of the Southern state governments of 1861-1865, in asking for their ratification of the thirteenth amendment. If these governments were not valid then the thirteenth amendment is and has always been invalid.

² Texas alone failed to avail herself of this proclamation.

was a very serious one. The sudden emancipation of hundreds of thousands of negroes who were in every way unprepared for citizenship, had produced social, economic, and political chaos. To the ignorant negro, his new freedom meant license to do as he might choose. He understood nothing of the intellectual and spiritual meaning of emancipation and, as yet, cared less. Consequently, in many instances his unbridled passions ran riot in unspeakable deviltry, threatening or destroying the safety of Southern homes. To be sure, great numbers of the freedmen had preferred to remain with their former masters and sustain themselves by their industry, but thousands of the younger and more restless negroes prowled about the country, satisfying their wants and desires in whatsoever way they could.

The legislatures of the Southern states very appropriately took in hand the matter of improving conditions. In several states, notably Mississippi and South Carolina, vagrancy laws were passed very much like the vagrancy laws of many of the Northern states. Legislatures, of course, sought the arrest and punishment of idle and lawless freedmen in order to protect the lives and property of all the people. Unusual penalties were imposed in some cases, but unparalleled exigencies demanded them. In many cases the existence of a written contract signed by proper persons was requisite to avoid the charge of vagrancy, because vagrancy was the mother of a brood of crimes. Minor negroes should be bound out to service until they should become of age, and negroes unable to pay fines were sometimes hired out in a sort of convict bond fashion, but these young negroes unrestrained were a source of greatest danger.

JOHNSON vs. CONGRESS

Congress, incapable of fair judgment under the influence of passion, could not understand that the legislative measures in the South were necessary to the preservation of property and the protection of Southern families. It believed, and very naturally, too, looking from the Northern viewpoint, that the South had determined to reduce the negro to bondage again,

554. Congress undertakes the work of reconstruction — 1866

and to undo all the work of the Civil War with regard to slavery. Accordingly, when Congress met on December 4, 1865, it proceeded to organize without Southern representatives and senators, not even so much as pronouncing the names of the seceded states in the roll call. It did, however, pass a concurrent resolution establishing a joint committee of nine representatives and six senators whose duty it was to investigate the relation of the seceded states to the Union, and, therefore, their right to representation in Congress.

In the following February another concurrent resolution was passed, providing that no Southern senator or representative should be admitted to Congress until that body had proclaimed the full readmission of the seceded states. This meant, of course, that Congress intended to perform the work of reconstruction. It was the expression of a feeling, which had long been gathering momentum in Congress, that the executive had exceeded his constitutional authority in the whole matter; and certainly the Constitution does give Congress the right to judge the qualifications of its own members.

555. The
president
opposes
Congress

But President Johnson had no inclination to surrender to Congress the whole process of reconstruction. When, on February 6, 1866, Congress passed a bill continuing indefinitely the Freedmen's Bureau, which had been created the previous year for the purpose of heavily punishing those who in any way obstructed or abridged the rights of former slaves, the president promptly vetoed it on the ground that Congress had passed the measure without Southern representation. A few days later, he took Congress to task for violating the Constitution in vesting the right to judge of the qualifications of its own members in the committee of fifteen. On the same occasion he pointed out the inconsistency of Congress as follows: "By this rule they assume a state is out of the Union, and to have its practical relations restored by that rule, before the House can judge of the qualifications of its own members. What position is that? You have been struggling for four years to put down a rebellion. You contended in the beginning of that struggle

that a state had not a right to go out. You said it had neither the right nor the power, and it has been settled that the states had neither right nor the power to go out of the Union. And when you determine by the executive, by the military, and by the public judgment that these states cannot have any right to go out, this Committee turns around, and assumes that they are out, and that they shall not come in." This whole discussion is a vigorous and bold attack upon Stevens, Sumner, Phillips, and men of like stamp, even impeaching and incriminating their motives and their patriotism.

Congress retaliated in the following month by taking the reins into its own hands and adopting a joint resolution (March 2, 1866) providing that neither House would admit Southern representation until Congress as a whole should give its consent; and on April 9, by passing "an Act to protect all persons in the United States in their Civil Rights, and furnish the Means of their Vindication," and asserting that "all persons born in the United States, and not subject to any foreign power . . . are . . . citizens of the United States." The measure further prescribed greater restrictions upon those who in any way interfered with the liberties of any citizen, and empowered Federal courts to exercise exclusive jurisdiction over such cases. The president vetoed this act, and Congress passed it over his veto.

To make secure its work, Congress (June, 1866) proposed the fourteenth amendment, which provides that "all persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States, and of the state wherein they reside." The amendment forbids the states to "abridge the privileges . . . of the citizens" . . . or "deprive any person of life, liberty, or property, without due process of law," and prescribes as a penalty for the infraction of this amendment a reduction of the congressional representation from the state guilty of infraction. It declares invalid all debts "incurred in aid of insurrection or rebellion against the United States"; and it also excludes from office the leaders of the Confederacy, except when a two-thirds vote of Congress

556. The Civil Rights Act vetoed but passed

557. The Fourteenth Amendment proposed; Southern representation disallowed

should "remove such disability." Finally, the ratification of this amendment by the Southern states was generally understood, though not yet formally declared, to be prerequisite to readmission.

Immediately following the proposal of the fourteenth amendment, the committee of fifteen reported: "The conclusion of your committee therefore is, that the so-called Confederate States are not, at present, entitled to representation in the Congress of the United States; that before allowing such representation, adequate security for future peace and safety should be required."

558. The
Recon-
struction
Act; mili-
tary rule;
1867

It was the season of congressional elections, and the campaign was fierce between the president and his friends on the one side, and congressional leaders on the other. Congress won overwhelmingly, and came together in the following March (1867) in order to circumvent executive direction pending the regular meeting of Congress in the following December.¹ In the meantime, the Southern states had nearly all rejected the fourteenth amendment; while Congress had overridden the president's veto in conferring universal suffrage upon the negroes of the District of Columbia, had admitted Nebraska to the Union, March 1, 1867, and had enacted into law the Reconstruction Act on the following day. As completed during that month it provided, "that said rebel states shall be divided into military districts, and made subject to the military authority of the United States as hereinafter prescribed, and for that purpose Virginia shall constitute the first district; North Carolina and South Carolina, the second district; Georgia, Alabama, and Florida the third district; Mississippi and Arkansas the fourth district; and Louisiana and Texas the fifth district; . . . that it shall be the duty of the President to assign to the command of each of said districts an officer of the army . . . and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned." These military governors

¹ See Constitution, Art. I, Sec. 4.

should complete the process of reconstruction by allowing qualified male citizens to hold an election in the respective states for the purpose of choosing delegates to a constitutional convention. When such convention had submitted its proposed constitution to the qualified male citizens for ratification, and these in turn had adopted it, such constitution should then be sent to Congress for ratification. When Congress should ratify it, and when the state, through its legislature, should ratify the fourteenth amendment, such state should then be readmitted to representation in Congress. To quote from Burgess's *Reconstruction and the Constitution*: "There was hardly a line in the entire bill which would stand the test of the Constitution.

. The bill was the most brutal proposition ever introduced into the Congress of the United States by a responsible committee, and it would never have been tolerated except at such a time of partisan excitement and exaggerated suspicions."

The result of the reconstruction act, so far as the South was concerned, was to establish a corrupt and wholly inefficient military despotism which added much to the cup of bitterness of which the South had already drunk, and greatly interfered with the South's own reconstruction of her better self. The officials placed in charge of the reconstruction processes were too often self-seeking politicians who used the ignorant negroes to secure control of the constitutional conventions and the state governments; and who, being ignorant of conditions in the South, could not have given efficient administration had they so desired. Negroes, either alone, or in conjunction with small squads of "carpet-baggers," as these federal officials were named by the Southerners, came into control of all the machinery of government, and used their authority with wanton and ruthless extravagance. Taxes became burdensome, public debts increased with incredible swiftness, and the disfranchised white man was left robbed, stript, bruised, bleeding, bent under his burden, misunderstood, maligned, and outlawed.

Gradually the states were "reconstructed," and by January 30, 1871, all of them had been reinstated and rehabilitated.

559. The
"Carpet-
bag"
govern-
ments

**560. The
Fifteenth
Amend-
ment
proposed**

The fourteenth amendment, of course, had been adopted of necessity, and Congress, on February 26, 1869, to make assurance doubly sure, proposed the fifteenth amendment, which forbade the United States or any state thereof to abridge the rights of any citizen of the United States to vote "on account of race, color, or previous condition of servitude." The ratification of this amendment was made prerequisite to the admission of Texas, Virginia, Mississippi, and Georgia, states which had been slow in the process of reconstruction. This amendment became a part of the constitutional law on March 30, 1870.

**561. The
Tenure of
Office Act
— 1868**

On the same day Congress passed the first reconstruction act and "An Act regulating the Tenure of Certain Civil Offices." Under the Constitution, a great many of the federal officers receive their appointment through the executive branch of government with the consent of the Senate. But the Constitution makes no express declaration regarding removals from these offices. Custom, however, had given the right to the president to remove such officials without the consent of the Senate, since such power seemed necessary to the efficient execution of administrative policies. But Congress and the president had now reached such disagreement that when Johnson removed officials Congress suspected that he did it solely because they disagreed with him over questions of reconstruction. Therefore it passed the measure mentioned for the purpose of depriving the president of the right to remove officers without the consent of the Senate; it further provided that members of the cabinet should remain in office one month after the presidential term should expire. It gave the president power, however, to suspend cabinet members when the Senate was not in session, with the proviso that the body might restore such suspended member if, after investigation, it should decide to do so. Violation of this act, in any particular, was punishable by a maximum fine of ten thousand dollars or a maximum imprisonment of five years, or both.

In the summer following the adjournment of Congress, the president called for the resignation of Secretary of War Edwin

M. Stanton. The secretary refused to resign, and the president, within the authority of the Tenure of Office Act, suspended him from office. When the Senate convened it refused to ratify the order of suspension, and the president again removed Stanton, acting this time upon the conviction that the Senate had exceeded its constitutional right in passing the act.¹ Again Stanton refused to be removed, and this time appealed to the House of Representatives. This body, on February 24, 1868, by a vote of 128 to 47, resolved to impeach the president. The Senate concurred, and on March 6, an order was issued summoning the president to make answer by March 13. On March 23 a request for thirty days extension of time in which to prepare for trial was denied, and on March 30, the trial was opened, with Chief Justice Chase presiding. After several weeks' proceedings, 35 senators voted "guilty" and 19 "not guilty."² As a two-thirds vote was necessary for conviction, the president had won. Stanton resigned and the disgraceful episode was at an end.

562. Stanton; the impeachment trial

But the impeachment trial and its incidents had aroused the most bitter sentiments throughout the country. Johnson had gone about pouring out the vials of his wrath upon Congress, while congressmen and Republican newspapers in turn execrated the man whom they had made president. It was the year of the national election, and the Republican convention met a few days after the impeachment proceedings. It enthusiastically chose Ulysses S. Grant for its presidential candidate, and showed plainly its intention of supporting the congressional plan of reconstruction. The Democrats nominated Horatio Seymour of New York, and accepted the Republican challenge. In the popular vote General Grant received

563. Grant elected president — 1868

¹ The president's discussions of the constitutionality of these two measures, the Reconstruction Act and the Tenure of Office Act, are among the ablest state papers in the history of the country, and are generally accepted now by the highest legal authority in the nation as "masterpieces of political logic, constitutional interpretation, and official style."

² Seven Republicans and 12 Democrats voted for acquittal. All but one of these seven Republican senators lost their seats in the next election.

a majority of about 300,000 out of a total of six million. In the electoral college Grant received 214 to Seymour's 80. Johnson's retirement from the presidency was not the close of his political service; in 1875 he was elected United States senator from Tennessee, and he died in office the same year.

SUMMARY

Northern politicians found themselves in a dilemma. If the act or ordinance of secession was constitutional and valid, the "so-called" Confederacy had been a *de jure* government, and consequently the war against it had been one of oppression; but if the ordinance of secession was unconstitutional, and therefore null and void, the Southern states had never left the Union, and were entitled to equality under the Constitution. Mr. Lincoln's view (that a "rebellion" had existed and that upon its suppression within each state such state should be encouraged to exercise the functions of a member of the Union) was maintained by President Johnson. He lacked, however, the qualities and the power of Mr. Lincoln. He issued an amnesty proclamation, and the Southern states, generally, held conventions and adopted constitutions prohibiting slavery and setting up forms of republican states under the United States Constitution. But the senators and representatives elected by these states were not allowed by Congress to take their seats, and there followed an unseemly conflict between the national legislature and the executive. Meanwhile, the Southern states were endeavoring to control the newly freed and irresponsible negro, and to build again some degree of material prosperity. Congress proposed the fourteenth amendment, placed the South under military rule in 1867, and the carpet-bag governments followed. The Tenure-of-office Act (1868) and the removal of Stanton gave rise to an impeachment trial in which the president was acquitted by one vote. In the same year Grant was elected president.

REVIEW QUESTIONS

1. Was the act of secession forbidden by the Constitution? 2. Discuss the constitutional right for the formation of West Virginia. 3. In what essential does the fourteenth amendment differ from the thirteenth? 4. Do you consider suffrage a universal right? 5. Do negroes, as a rule, vote in the South? Discuss. 6. Why do states and municipalities enact laws and ordinances for the suppression of vagrancy? 7. What was the purpose of the Civil Rights Act? 8. Why did most of the Southern states reject the fourteenth amendment? 9. Does the adoption of the thirteenth amendment confirm, or does it attack the constitutional right of Mr. Lincoln to free the slaves as a war measure? 10. Did Mr. Lincoln free the slaves?

CHAPTER XXV

RECONSTRUCTION — Concluded

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SOURCES. — A. H. Stephens, *Pictorial History of U. S.*, book ii, chap. xxxv; Hart, *Source Book*; *Contemporaries*. *

ILLUSTRATIVE MATERIAL. — Grady, *The New South*; Tourgee, *A Fool's Errand*.

STRUGGLE FOR HOME RULE IN THE SOUTH

The few years immediately following the retirement of President Johnson were characterized by the completion of the process of reconstruction under the immediate direction of Congress, by the restoration of the Southern state governments to the Southern white man, and by the recovery of material prosperity in a measure and a return to sanity on the part of the people, both North and South.

The new president was a man of entirely different mold from the one who was retiring. His election was the tribute which the jubilant North paid to the man who had led its armies to victory over stubborn and resourceful opposition. Untrained in affairs, a failure in the management of his own business but for a military record he could never have attained high civil station. He had two supreme virtues, however: he was honest beyond the concept on of a majority of his public contemporaries and his patriotism was as sincere as his integrity was deep. Indeed, his own honesty led him to put implicit faith in his fellowmen, many of whom, in this time that tried men's souls, were swept by the lust of office and the greed for gold into the purlieus of rapine and plunder. Astute politicians took advantage of the president's trustful nature and used him as a tool for

564. Character of Grant

the accomplishment of selfish ends. The result was a great moral laxness in the administration of public affairs and an abnormal development of the idea that public office is a private perquisite. It would not be fair, however, to attribute this result entirely to President Grant's confiding nature, because it was a period when ungovernable passions dominated the thoughts and actions of many men.

565. The North distrusts Southern purposes; the Loyal League

A low conception of public office is worst revealed in the continued process of reconstructing the South. It has been the conviction of dispassionate judges that the period immediately following the close of the war was "blacker and more hopeless than the worst experiences of the war."¹

The promptness with which the Southern states accepted the terms of President Johnson's amnesty proclamation, their quick denial of the civil equality of the freedmen with the whites, their refusal to accept the proposed fourteenth amendment, their vagrancy laws, and their evident intention to resume entire control of affairs at the South, led the North to suspect that the real purpose of Southern white men was to reënslave the negro. Accordingly, as early as 1866 there began the formation of negro organizations under the leadership of Northern politicians. The purpose of these secret organizations, it seems, was the building up of a Republican political machine; they soon took the name of the Loyal League.

566. The Ku-Klux organization

Almost at the same time, there arose an organization of Southern white men called the Ku-Klux Klan. It, too, seemed chiefly perhaps a political body whose purpose was to secure to the white people of the South the control of Southern society and politics. The Reconstruction Act of 1867 having placed the ignorant negro in practical political control of every state in the late Confederacy,² the Ku-Klux attempted, with more or less success, the practical defeat of this measure by a policy of

¹ Burgess, *Reconstruction and Constitution*.

² From the point of view of sound political science the imposition of universal negro suffrage upon the Southern communities, in some of which the negroes were in large majority, was one of the "blunder crimes" of the century. — Burgess, *Reconstruction and the Constitution*, p. 244.

intimidation. They rode about at night on their snow-white horses, flogging the political leaders, both white and black, and terrorizing the ignorant and superstitious negroes. In this way they kept down a good deal of lawlessness on the part of the negro and in some instances changed the election results by keeping him away from the polls or otherwise nullifying his newly-acquired political privilege.

"Meanwhile," to quote Burgess again, "the new 'state' governments had well begun their career of corruption, shame, and vulgarity. They were plundering the treasury, increasing the taxes, selling franchises, issuing bonds, and celebrating high carnival everywhere and all the time." The gentlemen of the old school, and the political leaders of the old class, looked on with bitter feelings of mortification and anger, while the irresponsible were stirred to deeds of intimidation and violence. Between the Ku-Klux on the one hand and the "Carpet-baggers," "scalawags,"¹ and negro leaders on the other, the feeling had become so intense as to prevent any general movement toward the restoration of material and intellectual development in the South. Riots occurred in various places, and lynchings, arson, and theft terrorized society throughout the South. The whole region was divided into two hostile factions. The Ku-Klux had the sympathy of the respectable white element, and the political exploiters from the North appealed to the Federal government for aid.

**567. Social
disorder
under
Carpet-bag
rule**

The administration responded with the passage of the Enforcement Act of May 31, 1870. By this measure the government sought to prevent the intimidation of negro voters, penalizing every individual or combination of individuals who in any way should attempt to "prevent, hinder, control, or intimidate any person from exercising the right of suffrage, and to whom the right of suffrage is secured or guaranteed by the fifteenth amendment of the Constitution of the United States, by means of bribery, or by threats of depriving such person of

**568. The
Enforce-
ment Acts
— 1870**

¹ This was the name for Southern white men who connived at the carpet-bag and negro domination. Possibly the word was derived from the French *scélérat*.

employment or occupation, or of ejecting such person from rented home, lands, or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family." It is now generally agreed by competent authority that this bill was outside the constitutional power of Congress, but it was election year and unless something were done to prevent it the "reconstructed" states might send Democratic representatives and senators to Congress in the autumn. As it was, the Democratic vote was heavy enough to indicate the trend of public sentiment at the South, and consequently Congress returned to the assault in the following February with a "Supplementary Act to Enforce the Fifteenth Amendment." This measure placed the whole question of Congressional elections under Federal supervision, its authority enforced by deputy marshals, and interpreted by the Circuit Courts of the United States. On March 23, President Grant appealed to Congress for power to protect life and property in the South, and to make secure the handling of the United States mails. Congress was not slow to respond. On April 20, it passed "An Act to Enforce the Provisions of the Fourteenth Amendment to the Constitution of the United States, and for other purposes." This act virtually deprived the "states" of the right to regulate their own elections and empowered the president to resort to martial law at his discretion. He never made general use of this new power, but in the following autumn he suspended the writ of *habeas corpus* in some of the states and he brought many of the Ku-Klux to severe punishment.

NATIONAL ELECTIONS — 1872-1876

569. The
Liberal Re-
publicans—
1872

The radical Republicans in power in the state governments at the South perpetrated the extremes of extravagance, fraud, and corruption.¹ The abuse of federal power, and the shame-

¹ In describing conditions in South Carolina, Burgess says: "The House of Representatives, the majority of the members of which were negroes, and the presiding officer of which was the notorious F. J. Moses, spent ninety-five thousand dollars to refurbish its assembly hall, where the aristocrats of South Carolina had never spent over five thousand. Clocks, costing six hundred dollars each, desks at

ful conduct of the state governments reacted upon the Republican party at the North and resulted in the formation of the Liberal Republican party in the spring of 1872. They drew up a platform advocating the withdrawal of military government from the South and the removal of the disabilities of Southern white men. They nominated Horace Greeley for president and were soon supported by the Democrats, who now despaired of recovering their former power through the election of a partisan Democrat. In the election which followed, Greeley carried Maryland, Texas, Tennessee, Georgia, Kentucky, and Missouri, all of which were in a measure free from negro domination. He lost, however, all the Northern states, and was, therefore, overwhelmingly defeated. This was the signal, as the carpet-baggers took it, for increased plunder of the state governments, but if they had been wise they might have seen in the Republican split and the increasing vote of the Democrats in several of the Northern states a warning against their unscrupulous methods.

Two years more of carpet-bag rapine brought about the further undoing of the Republican party, and in the elections of 1874 the Republican majority of two-thirds in the lower house of Congress was supplanted with a similar majority for the Democrats. Moreover, three more of the states freed themselves from negro control and turned their governments back into the hands of the Southern whites.¹ The backbone of the negro domination had been broken. In the next year South Carolina and Mississippi, the two states which had the greatest proportion of negroes, overturned the carpet-bag rule and placed the Democratic party in power.

The rising tide of opposition to Republican misrule mani-

a hundred and twenty-five dollars each, mirrors at six hundred dollars each, cuspidors at eight dollars each—such were the items of the bill. Then came the hundred and twenty-five thousand dollars for a free restaurant, lunch counter, and bar, at which the members and their friends fared most royally, eating, drinking, and smoking, and paying not a penny therefor directly, nor indirectly, since many, if not most, of the members of that legislature paid no stiver of the taxes."

¹ Arkansas, Alabama, and Texas elected Democratic governors and legislatures.

**570. Dem-
ocratic
gains in
1874;
candidates
in 1876**

fested itself in the national election of 1876. The Democrats nominated Governor Samuel J. Tilden of New York for president — a man in whom the country had come to have confidence on account of his success in breaking up rotten political rings in his own state. The Republicans nominated, after considerable wrangling, a compromise candidate in the person of Rutherford B. Hayes of Ohio. The National Greenback party, which had just been organized in opposition to the Resumption Act,¹ and which advocated a paper currency convertible into United States interest-bearing bonds, likewise nominated candidates, as did also the National Prohibition party, which had for its object the abolition of the whisky traffic.

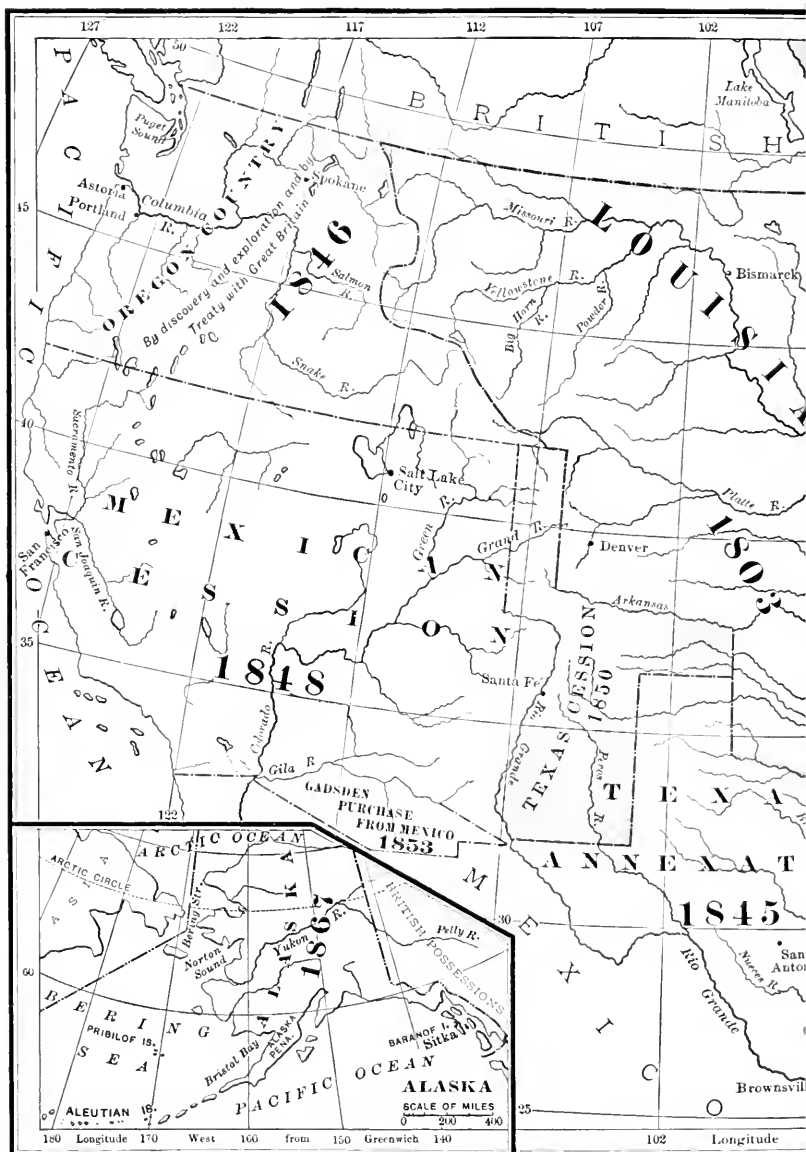
**571. The
Electoral
Com-
mission**

"The bloody shirt" was the chief factor in the campaign and naturally enough the contest was bitter. When the election returns came in, it appeared that Tilden had a large popular majority as well as an electoral majority of thirty-seven.² But the Republicans charged irregularities in the elections of South Carolina, Florida, Louisiana, and Oregon, and claimed that their candidates were entitled to the legal votes in these states. If so, Hayes would receive 185 votes, or one more than a majority; but if the Democrats could retain even one of those disputed votes Tilden would be elected by a majority of one vote. Each party made its own returns and the matter went before Congress for settlement. The House was Democratic and the Senate Republican.³ Upon failure of these two bodies to reach an agreement as to which had jurisdiction in the case, they created an Electoral Commission composed of five members chosen by the House of Representatives, five members chosen by the Senate, and five judges of the Supreme Court. It was expected that seven Democrats, seven Republicans and one

¹ On January 14, 1875, Congress had passed an Act which provided that on and after January 1, 1879, all bills of the United States should be redeemable in gold coin upon presentation to the treasury.

² If these returns were correct, Tilden had 203 electoral votes and Hayes 166.

³ Here the Constitution failed to give needed direction. It simply directs that "The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted." No officer, board, or body of officials had authority to do the simple act of counting.





independent would be chosen, but this plan miscarried through the election to the United States Senate of the only independent member of the Supreme Court, and so the fifteenth member was chosen from among the Republicans. Considering the partisan rancor of the times the result was a foregone conclusion. On every issue that arose the vote stood eight to seven and finally, the day before the inauguration, the commission announced that Hayes and Wheeler had received 185 votes to 184 for Tilden and Hendricks. Feeling subsided very quickly and people soon turned their attention to other matters.



RUTHERFORD B. HAYES

Perhaps it was not important after all whether Hayes or Tilden should be president, for they differed little in regard to the Southern question. But the succession of events taken together was very significant. In the first place, the vote of the people was *prima facie* evidence that reason was beginning to supplant passion at the ballot box and that the South was again taking her place in the national life and was being permitted more and more to control her own local affairs. In the second place, the calm acceptance of the work of the Electoral Commission, which was plainly contrary to the wishes of a majority of the people, was no small tribute to the character and ideals of American citizenship. In the third place, it was prophetic of a change in administrative policy, since the incoming president was peacefully disposed toward the South. This meant, of course, the gradual retirement of the war question from the predominant place in national politics and the rise of such policies as would promote the peace, happiness, and prosperity of the people on both sides of Mason and Dixon's line.

572. The
triumph of
reason

FOREIGN RELATIONS

573. The
French in
Mexico

While the Union was thus being welded in the fire of civil and political discord and under the hammerings of a ponderous congressional majority, a shower of small troubles with Europe was giving it a firm temper. The friendly sentiment in England and France toward the Confederacy had given rise to resentful feeling on the part of the Federal government. France had gone so far as to improve the opportunity by trying to gain a foothold in the Western Hemisphere. In 1861, by command of Napoleon III, a French army about 50,000 strong landed in Mexico for the purpose of conquest. It was easily successful, and straightway an empire was proclaimed with Archduke Maximilian, brother of the Emperor of Austria, at its head. At the close of the war Secretary of State Seward warned France against establishing a monarchical form of government over a republican state and showed his intention of enforcing the Monroe Doctrine (346). President Grant emphasized these warnings by sending General Sherman with an army to the Mexican border. Napoleon saw the peril of his undertaking, withdrew his troops, and weakly permitted Maximilian to be court-martialed and executed (June, 1867).

574. The
"Alabama"
arbitra-
tion;
fisheries

The case with Great Britain was not so easily solved. While the war was in progress, there had been fitted out in her harbors a number of vessels designed for the use of the Confederate States in preying upon the commerce of the Union and otherwise aiding the South. Prominent among such ships was the *Alabama*, or *Two-ninety* as she was commonly called. In addition to offences from this source Great Britain had committed others in recognizing the belligerency of the Confederacy, in granting its cruisers coaling stations, and in extending sympathy in such material way as prolonged the war and therefore multiplied damages. Through the influence of Charles Sumner, chairman of the Senate committee on foreign relations, the United States demanded of Great Britain in settlement of these claims the exorbitant sum of \$200,000,000 and the surrender

of Guiana, Honduras, and Canada. Commissioners from the two nations met at Washington on May 8, 1871, and settled some minor disputes about the boundary and fisheries, and agreed to refer the question of claims to an international tribunal, to meet at Geneva, Switzerland. This court, composed of representatives from Italy, Switzerland, and Brazil, besides Lord Cockburn from Great Britain and Charles Francis Adams from the United States, decided that Great Britain should pay \$15,500,000 in settlement of the "Alabama Claims." In 1877, another arbitration determined that the United States should pay Great Britain \$5,500,000 for violation of the treaty of 1818 in regard to Canadian fisheries.

Relations with Russia during the Civil War had been somewhat more cordial than those with France and Great Britain; so it was not difficult in 1867, for Secretary Seward to conclude a bargain with Russia by which \$7,200,000 was paid for Alaska, a frozen region seemingly important only for its seal fisheries. In after years the gold discoveries there made it worth many times the purchase price.

575. Purchase of Alaska; the Burlingame Treaty

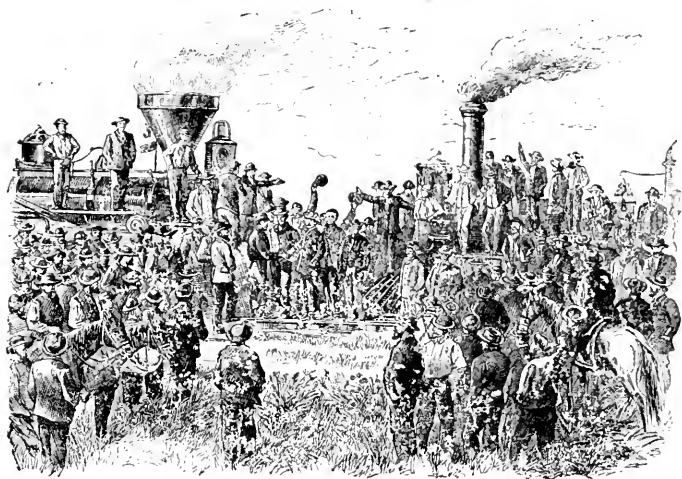
An understanding was likewise reached with Austria, the German States, Belgium, France, and Great Britain, and agreements followed in regard to immigration and naturalization (1868). In the same year, by the "Burlingame Treaty," the United States promised to protect Chinese immigrants, who had now begun to pour into the Pacific coast region on account of the demand for labor in those states. These and other international questions growing for the most part out of the Civil War, gave America standing abroad, and made a constant appeal to the national consciousness.

A FITTING CLOSE OF THE ERA

While Congress and the president were restoring the Southern states to their "proper practical relation," and carrying on a successful diplomacy with foreign nations, the recuperative power of the American people was manifesting itself in numerous improvements and inventions. In 1866, Cyrus W. Field

576. Improvements and inventions

succeeded in laying the Atlantic cable, which revolutionized the industrial and commercial world. In 1869, the Pacific railroad was completed across the Rocky mountains; and the East was nearer the West by weeks, and another obstacle to a stronger Federal Union had been removed. In 1870, Congress



COMPLETION OF THE PACIFIC RAILROAD

Meeting of the locomotives of the Union and of the Central Pacific Railroads

established the Weather Bureau, whose business it is to observe the weather and publish forecasts of approaching changes. The service of this department of the federal government has been greatly enlarged, and the whole people have become more and more convinced of its usefulness. The same period witnessed the invention of electric lighting and the telephone.

577. The
Centennial
Exposition

A great number of appliances newly invented were brought together and exhibited in a Centennial Exposition held at Philadelphia just one hundred years from the natal day of the republic. Here was gathered the best product of the best thought of the nation. The Congress of the United States contributed \$1,500,000 to the enterprise and many other nations joined in making the occasion one of world-wide significance.

Between May 10 and November 10, 1876, more than ten million people passed through its gates. Though standing at the close of a long period of sectional strife, the Exposition terminated a century full of American achievements for all mankind. The national boundaries had been pushed across the Mississippi to the Rio Grande, and over the Rocky mountains to the Pacific. State governments had been set up three thousand miles from the national capital, and all now acknowledged an indissoluble union. A century and a half had been required to develop the spirit of union and a national consciousness, and still another century had been needed for determining the form which nationality should assume. No doubt the Union had been a compact, but it was so no longer. Beyond all question each state had at first been sovereign; but the growth of the principle of union had broken down partitions, and state sovereignty had been laid on the altar of an enlarged patriotism. Not the war, nor the enforced reconstruction, had wrought this profound conversion; it was the result of the spirit of sympathy and love working in the hearts of men of the North and of the South for better things; working through Grant, the magnanimous, and through Tilden, the self-sacrificing; working with, and aiding men in their gropings after the truth; working through Hayes's well-known good-will to the South, to be exemplified by his instant abolition of bayonet rule; working in the schools, in the churches, in the fields and workshops, in the army and everywhere. Now indeed might the federation be said to have developed "an indestructible union of indestructible states," in which the respective powers are essential to each other. The Centennial typified this great truth, since it brought together the East and West and the North and South, and directed their attention toward national achievements. It announced the end of domestic strife and heralded the dawn of a new day of social, industrial, and economical development. The country would no longer be "drenched in fraternal blood" but would be given, soul and body, to unlocking its natural resources and to building up national industries.

SUMMARY

In Grant's administration the work of "reconstruction" was continued. There were scandals affecting the national government, and a low moral standard obtained in regard to public office; the president's confiding disposition making him the well-meaning tool in the hands of crafty politicians. White citizens of the South, seeing the negroes organize into the "Loyal League" for the purpose of furthering the ends of carpet-bag leaders, formed the "Ku-Klux Klan," which by intimidation had much effect in the rural districts of the South in restraint of excesses, and the preservation of a degree of order. These Vigilance Committees — self-appointed in many cases, — fell under the displeasure of Congress, which passed the unconstitutional Enforcement Act, 1870, an act to enforce the fifteenth amendment, 1871, and later in the same year an act to enforce the fourteenth amendment and for other purposes. The effect of this act was to place elections in the Southern states under the supervision of the military arm of the government. Meantime, natural revulsion in the North against the methods and morals of the party in power led to the formation of the Liberal Republicans, which, though defeated under Greeley, registered its strong and wholesome protest against political conditions. In this election the patriotic Southern voters sided with Greeley. Carpet-bag rule continued in the South until the Congressional elections of 1874, which returned a large Democratic majority. In the South generally, the whites regained political power, and their state governments were rescued from the carpet-baggers and negroes.

In 1876, the presidential election was disputed, and an Electoral Commission created by Congress decided by a strict party vote in favor of Hayes, the Republican candidate, who was known, however, to favor giving justice to the South. In the same year the Centennial Exhibition at Philadelphia, attracting citizens from all sections, and throwing them together, had its effect toward unification of sentiment. The evil days of negro domination, carpet-bag rascality, and scalawag treason were over when it became known that the troops would be withdrawn from the South.

REVIEW QUESTIONS

1. What was the difference between a carpet-bagger and a scalawag? 2. Does military service fit for civil rule? 3. Discuss the qualifications for ruling, possessed by all the presidents who had been military heroes. 4. Discuss the conditions which brought about the Loyal League. 5. Was the Ku-Klux organization a wholesome movement? 6. How did Congress endeavor to defend the freedmen against the Ku-Klux? 7. Why did the Southern white voters in 1872 cast their ballots for Greeley? 8. Are such organizations as the Ku-Klux ever justifiable? 9. Who won the presidential election in 1876? Give reasons for your answer. 10. What general influences brought about unity of sentiment between the sections? Discuss.

Part IV

DEVELOPMENT UNDER A RESTORED UNION

CHAPTER XXVI

NEW INDUSTRIAL AND POLITICAL IDEALS

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ILLUSTRATIVE MATERIAL. — Ford, *The Honorable Peter Sterling*; Burnet, *Through One Administration*.

A BRIEF INVENTORY

The years which followed the abolition of slavery and the reconstruction of the bonds of union stand out in marked contrast with all other eras of the country's history. For more than a century, American thought and feeling had been strongly attracted by political discussion. What was the relation between the states and the federal government? Was the Union a compact? Were Congress and the president justified in exercising powers not specifically granted them by the Constitution? Was a national bank desirable? What interest would the annexation of this or that piece of territory best serve? Was slavery justifiable, and did the South actually leave the Union or only attempt to do so? These and other questions of a doctrinal character had been uppermost in the public mind and had held the attention of the statesmen for a

578. Old
issues give
place to new

hundred years. But a long step in the interpretation of the Constitution had now been made, and men could give time and thought to the development of natural resources and the expansion of industry; and there was brought into prominence a train of interests such as corporate business, transportation, commerce, labor and capital, immigration, inventions, public education, mining, scientific agriculture, monetary problems, tariff, conservation, and others equally practical and important.

579. The
South in
1876

To understand the wonderful expansion that attended the closing years of the nineteenth century, it will be helpful to consider the conditions of the country at the beginning of the period. In the South little had been done during the reconstruction process toward the reestablishment of industry and commerce. Political and social conditions had been too exasperating and too unstable to admit economic recovery, and hence all the arts and crafts languished for want of security. Agricultural labor had received an almost fatal stroke in the freeing of the slaves, many of whom seemed to consider service inconsistent with freedom, while few of them were prepared for independent farming. Intellectually and morally the war of reconstruction had wrought temporary havoc of the worst kind. Approximately four million ignorant slaves, inferior in everything that constitutes a high civilization, had not only been elevated to citizenship, but had been encouraged to assume a large part of the civic and political responsibility of the South. The white population had been diminished by war and its attendant ravages to a number far less than the South had had fifteen years earlier.¹ Much of her best blood had been spilt, her cities burned, her wealth and her industries destroyed, and much of her former wealth had become a burden. In despair, many of her citizens had emigrated. Yet there was still something which could not be taken away: her natural intellectual and spiritual endowment, her ability to look defeat

¹ The South lost approximately 300,000 men in the Civil War and spent perhaps \$1,500,000,000 in gold.

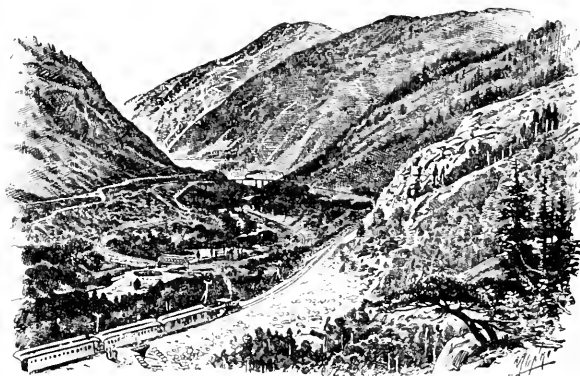
squarely in the face, her native strength of intellect and of spirit, in a word, her character, remained unimpeached and unimpeachable and this was her one foundation of hope for the future. Already there were faint glimmerings of approaching day. By sheer inherent force she had now wrenched her governments from carpet-bag and negro rule and had placed Southern white men at the helm of state. Encouragement had come, and industry would follow. Poor in material possessions, she faced the future with resolution and with promise.

“Order and peace were quickly established everywhere, and the plundered and impoverished South could at last take hope and feel courage to make a new effort to recover some degree of prosperity and some measure of domestic content. For ten years the dark night of domination by the negro and political adventurer had rested upon the unhappy section, until it had been reduced to the very abomination of desolation. Broken in health and fortune, sick at heart, conscious of the terrible degradation which had been imposed upon them, and politically ostracized, the better part of the white population of the South had staggered and groped through the hideous experience of this period, and such of them as had not perished during the awful passage had now at last been relieved of the frightful scourge, and, half dazed as if recovering from a terrible nightmare, found themselves again in the places of power and responsibility.” (Burgess.)

If the South had been weakened by the war, and as yet had been unable to recover, the West had been stimulated and made strong. Under the Homestead Act of 1862 settlers had poured into the trans-Mississippi region, had built homes, had opened many new industries, and had organized new territories. The Act provided that any head of a family, after five years' residence upon any 160 acre tract of government land, might secure a title free of cost. A somewhat similar act was passed in 1873 by which the government granted free title to land on which settlers would grow a certain number of trees. Under these two acts nearly 40,000,000 acres were

580. The
West in
1876

"homesteaded" by the close of the reconstruction period. Another factor in the development of this region was the building of railroads to the Pacific. The war had developed the necessity for these roads and Congress had taken the initiative by granting certain companies very liberal charters in 1862. In fact, several of them were subsidized by Congress with grants of vast tracts of land, and loans in government bonds.



VIEW ON THE UNION PACIFIC RAILROAD, COLORADO

From a photograph

It is estimated that 100,000,000 acres were thus given to five of these Pacific railroads and that government loans to the same companies approximated \$60,000,000. Under the stimulus of Congressional favor, a company¹ had been formed in 1865, called the Credit Mobilier of America, which took over the contract of the Union Pacific designed to link the Missouri river region with San Francisco. The undertaking, pushed with vigor, had been completed in 1869.

Moreover, young men whom the war had left penniless, and soldiers without employment, turned in increasing number to the enchanting West, there to seek fame and fortune. Then,

¹ This company is said to have given shares to Congressmen in return for their votes for favorable legislation. It at least illustrates the general business, if not moral laxness, that obtained throughout the country during this period.

too, copper in paying quantities was discovered at Butte, Montana, in 1864; gold in Wyoming and Dakota, in 1874; and silver at Leadville, Colorado, in the centennial year, and as a consequence, vast caravans of covered wagons invaded the new and sparsely settled West. Nor was it long before the newcomers organized themselves politically, and established legal relations with the Union. Indeed, three new states had been created between the outbreak of the war and the close of reconstruction — Nevada, 1864; Nebraska, 1867; and Colorado, 1876. Besides these, Wyoming, Arizona, Idaho, Montana, and Dakota were organized as territories. The thrifty Westerners will be heard from in the political and economic history of the closing years of the nineteenth century.

The region that had supported the Union lost nearly 400,000 men, and spent untold wealth, and acquired still more. The war left material conditions prospering, and during the reconstruction period the industries of the East and North went forward with great rapidity. Since the war had been fought on Southern soil, the farming interests of the North were really stronger at the close than at the beginning of the struggle. The tariff levied for revenue during the war had given protection to New England industries, which were already revelling in the wealth that was being poured daily into their coffers and which were now wholly unwilling to be deprived of this advantage. Cities were springing up on all sides, commerce was expanding, fortunes were being gathered, and an air of general prosperity pervaded the entire region. In contrast with the social, economic, and political disorganization at the South, the North, during the decade immediately following the war, was waxing strong and rich from the bountiful hand of governmental favor.

Thus it will be seen that in material condition at the opening of the new industrial age there was great inequality between the different sections of the country, but it should be noted that it was such an inequality as would pass away with the return of normal intellectual and spiritual conditions. With

581. The North and East in 1876

582. Withdrawal of troops from the South

the accession of President Hayes, perceptibly begins the restoration of mental balance and a consequent process of natural and national development. It was pointed out in the preceding chapter that the white men of the South were coming pretty well into control of their state governments. The withdrawal of the federal troops was a fitting climax to this movement, and one for which President Hayes deserves the everlasting gratitude of the nation. The South was now freer than she had ever been before to unlock her natural resources and build an enduring civilization after the fashion of her own ideals. Not only so, but the people of every section had already found greater profit in a good understanding than in sectional strife; while special classes of manufacturers and merchants were loudly proclaiming that the interests of business required the throwing off of the artificial shackles that had hitherto bound their Southern patrons. It was, therefore, a new day for the whole nation when the president withdrew the iron hand of federal control and turned over Southern politics to Southern white men.¹

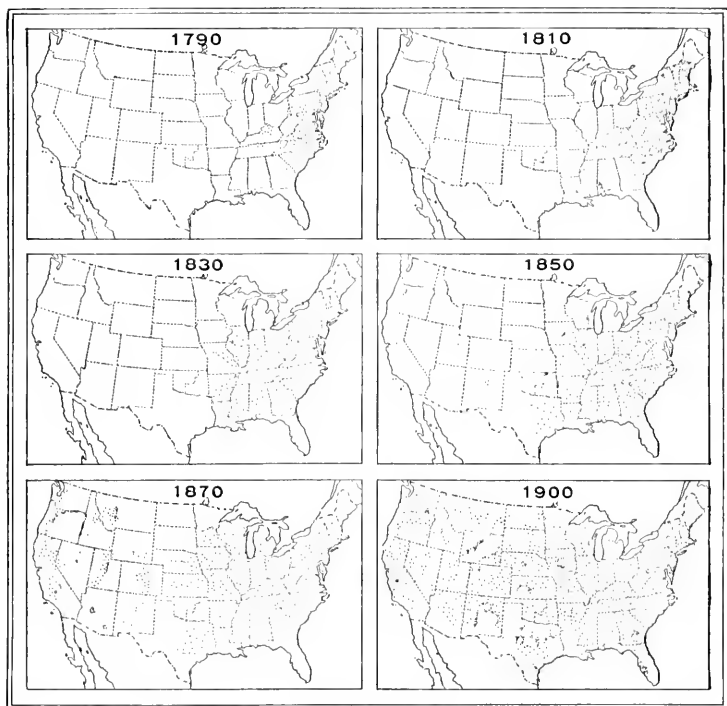
CURRENCY PROBLEMS

583. Na-
tional pros-
perity

A study of the national census for 1880 will reveal surprising developments in industry, commerce, transportation, agriculture, mining, and all other forms of enterprise. Reference has been made to the effect of the war tariff upon New England industry. In 1876 the balance of trade was in America's favor, and exports have exceeded imports almost continuously since that time. The number of manufacturing establishments increased enormously during the decade ending in 1880. Moreover, diversification of industry went on apace, particularly in

¹ It is true that the president did not yet abolish federal supervision of the national elections in the South, but the Democratic majority in the House of Representatives practically accomplished this end by attaching a "rider" to the Army Appropriation Bill providing for the abolition of national election machinery. The contest over this amendment resulted in a compromise which removed the offensive presence and use of troops by United States marshals at the polls. The practice of attaching "riders" was abolished a few years later by a change in the rules of the House.

the North and East. The result was a total increase in production of some 75 per cent for the decade. The wheat and corn-fields of the new West and Northwest were teeming with prolific yields and sending a surplus to foreign ports. The newly-settled Dakota produced 3,000,000 bushels of wheat, and



THE WESTWARD MOVEMENT OF POPULATION

drouth-stricken Kansas, 100,000,000 bushels of corn. Wyoming, Colorado, and Nevada poured their treasure of gold, silver, lead, and other minerals into the lap of the nation and added multiplied thousands to the population. Bank deposits broke all previous records and the national wealth reached what was then the enormous figure of \$43,000,000,000. Villages of 1870 became cities in 1880; population passed the 50,000,000 mark,

an increase for the decade of more than 30 per cent. The railroads of the Atlantic coast region raced with one another in building to the West, from which they brought to market the product of grain-field and mine, and to which they carried back whole colonies of German, Danish, Swedish, Norwegian, and other immigrants. During the decade, the railroad mileage increased as much as 65 per cent, the development bringing with it the process of railway consolidation — the Hudson River, Lake Shore, and New York Central lines passing under one management. The effect was seen in the exorbitant and discriminating freight rates which these roads now established.

584. Labor and capital

The new industrial and economic conditions must inevitably make themselves felt in political and governmental affairs. Indeed, signs of such influence had been evident enough before the new era was well inaugurated. The Liberal Republicans of 1872 had exhibited a will to ignore sectional disputes and consider questions beyond the domain of contemporary politics; such, for example, as civil service reform. The Labor Reform party of the same year grew out of social and economic questions instead of the customary political and constitutional questions. It was more interested in the relation of labor and capital than in the process of reconstruction. It felt that the danger to negro freedom in the South was less threatening than was the control of the national finances by the banks of the East. To the great working class there could be no question so important as the national control of railways, telegraph and telephone lines, the equitable and careful disposition of public lands, the regulation of hours of labor, an economic system that would meet the expanding needs of business, and a train of similar questions in which men from Maine to Texas were vitally interested. The panic of 1873 was due to this new industrialism that was just now beginning to pervade the country no less than to the over-speculative spirit that accompanied it. The Greenback party (570) of 1876 was an expression of the same movement, for it demanded a currency based upon the national promise to pay, rather than upon gold

and silver—a plain evidence that the monetary system was having difficulty in meeting the demands of the new business age. Between 1872 and 1875 the secret order of Grangers, or Patrons of Industry, having for its primary purpose the promotion of farming interests, was organized, to be followed in the later seventies by the Farmers' Alliance, which entered more purposefully the field of politics with the consideration of such questions as transportation, currency, banking, monopoly, governmental favor to the capitalistic class through the protective tariff, and railway subsidies.

Prophetic of the new questions which should soon give direction to politics, numerous and extensive strikes occurred in 1877 throughout the North and East, especially among the employees of the railways and the mines of New York and Pennsylvania. So serious did the situation become that United States troops in conjunction with state militia were required to suppress riots and restore order. Organized labor was clearly upon the field and had come as a permanent part of our social and economic life.

These conditions gave rise to the only seriously important national measures of Hayes's administration, the Bland-Allison silver act and the resumption of specie payments. Gold and silver had been the legal currency of the country from the very beginning of the national history. As a matter of fact, however, before the Civil War gold had been used almost exclusively, for it seemed to meet the needs of business without the assistance of silver. Silver had, therefore, by the middle of the century, found its chief use in the work-shops of artisans and jewelers. In 1853, gold became the single standard of value by act of Congress, and the silver dollar passed entirely out of circulation. The new stress put upon the government by the war led it temporarily to issue (1862) irredeemable United States treasury notes as legal tenders in the payment of debts. The banks now suspended specie payment and the country was at once upon a paper basis. Multiplied millions of paper currency flooded the land, soon depreciating in value

585.
Strikes—
1877

586. The
silver ques-
tion

and correspondingly inflating prices. But the unprecedented demands of the war for the products of the country largely counteracted the evil effects of the suspension of specie payment and the issue of treasury notes. In 1873, Congress, simply recognizing the status of silver, passed an act forbidding the coinage of the silver dollar.¹

Almost at the same moment great deposits of silver were unearthed in the now rapidly developing West.² The price of silver necessarily fell, and the mine owners contended that the act of 1873 was responsible for the decline. Moreover, just at this time, money was in great demand on account of the unexampled development of farms and the building of railroads in the West and South. Money became "stringent" for the farmers, yet the great bankers of the East, who controlled the gold supply, found ways for financing the railroads. Some agitation had already taken place over the constitutionality of the treasury notes, and the moneyed interests had already shown their opposition to an irredeemable paper currency. Might they not also be responsible for the "crime of '73" and consequently be leagued against the "people's money"? The doubt led the farmers of the West and South to ally themselves with the mining interests in a demand for the repeal of the law of 1873 and a resumption of silver coinage.

587. The
Bland-
Allison Act
— 1878

Accordingly, Congressman Richard P. Bland of Missouri introduced in the House a measure which provided for the free and unlimited coinage of silver at approximately the ratio of 16 to 1, or in other words provided that standard silver dollars of $412\frac{1}{2}$ grains should be exchanged at the mints for silver bullion. Senator Allison of Iowa offered a substitute bill, authorizing the treasurer of the United States to expend a minimum of \$2,000,000 and a maximum of \$4,000,000 monthly for the purchase of silver bullion with which to make silver dollars. The Democratic House as well as the Republican Senate ac-

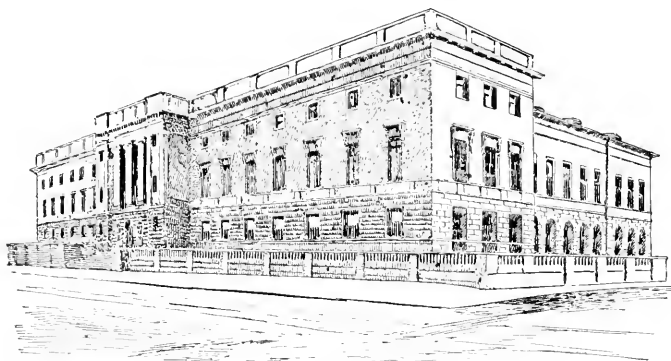
¹ This act is popularly called the "demonetization of silver" and the "crime of 1873."

² The total silver production of the United States rose from \$1,000,000 in 1861 to \$30,000,000 in 1875.

cepted the substitute and passed the measure. The president vetoed it and straightway it was passed over his veto. (February 28, 1878.)

In the meantime, under the same pressure of expanding industry that brought about the Bland-Allison Act, there arose a demand also for an increase in the issue of paper currency. The Labor Reform party, and then the Greenback party, had demanded "a purely national circulating medium, based on the faith and resources of the nation, and issued directly to the

**588. Re-
sumption of
specie pay-
ments**



THE UNITED STATES MINT AT PHILADELPHIA

people without the intervention of any system of banking corporations." But it had been the policy of the government for some time to "retire" the "greenbacks" which had been issued during the Civil War to the amount of \$450,000,000, and \$100,000,000 worth of them had been thus disposed of. Consequently Congress turned a deaf ear to the demands of the farmers who were now clamoring for more greenbacks. In 1875, a law had been enacted providing for the resumption of specie payments on and after January 1, 1879. When the day came a great amount of gold had been brought into the United States treasury through the sale of bonds, and the financial situation was so secure that few people cared to exchange their greenbacks for heavy specie, and the paper notes remained

in circulation.¹ Thus the demand for withdrawing and cancelling the greenbacks passed away, and at the same time treasury notes (greenbacks) were placed on a par with gold and silver.² But the currency controversy was to be revived at a later day.

THE CIVIL SERVICE

589. Elec-
tion of
1880

The presidential election was now approaching and both parties were beginning to cast about for available candidates. Hayes had rendered himself unpopular with the "machine" of his party when he withdrew the troops from the South. He had been handicapped during a part of his administration by a Democratic House, and even the Republican Senate had not always been tractable. He had got into office against the votes of a popular majority, if not an electoral majority. He would no more listen to party leaders in his appointments to office than in his policy toward the South, and thus he arrayed against himself a faction of the Republican party. These "stalwarts" as they called themselves, under the leadership of Senator Roscoe Conkling of New York, turned to General Grant, who had just completed a tour around the world, and who was received with great demonstrations of popularity in many cities of the North. The Republican ship had had smooth sailing under Grant's nominal piloting while president, and yet had carried the party far among the breakers of political

¹ John Sherman, secretary of the treasury under Hayes, writes as follows of this incident: "The resumption of specie payments was generally accepted as a fortunate event by the great body of the people of the United States, but there was a great diversity of opinion as to what was meant by resumption. The commercial and banking classes generally treated resumption as if it involved the payment and cancellation of United States notes and all forms of government money except coin and bank notes. Another class was opposed to resumption, and favored a large issue of paper money without any promise or expectation of redemption in coin. The body of the people, I believe, agreed with me in the opinion that resumption meant, not the cancellation and withdrawal of greenbacks, but the bringing them up to par and maintaining them as the equivalent of coin by the payment of them in coin on demand by the holder."

² In 1876, fractional currency, popularly called "shin-plasters," was supplanted with silver dimes, quarters, and half-dollars.

and governmental dishonesty.¹ The "stalwarts" placed Grant in nomination; John Sherman and J. G. Blaine also were strenuously urged; and the result was a compromise. James A. Garfield of Ohio,² who for many ballots received but one vote in the convention, was nominated for the presidency, and Chester A. Arthur of New York, a "stalwart," for the vice-presidency. The Democrats chose Winfield S. Hancock because of his reputation as a soldier, and William H. English, a fine type of the new business man, for vice-president. Seemingly such a combination should have won and, indeed, besides the Southern states, the Democrats carried California, Nevada, and New Jersey, and lost the popular vote by only nine thousand out of a total of nine million. In the electoral college Garfield and Arthur won by 214 to 155. Moreover, the Democrats lost both the House and Senate, and it remained to be seen again what the Republicans would do when they controlled both the legislative and executive branches of the government.



JAMES A. GARFIELD

The election had been singularly void of serious national

¹ Grant himself had no intention to be dishonest, or to permit dishonesty in the administration of the government, but public morality was so low during those days when passion ruled men's minds that stories of fraud are written shamefully often in the history of the period. Besides the corrupt carpet-bag and negro domination at the South, there were political "rings" and "bosses" whose conscienceless methods have never been equalled in our national history. "Boss" Tweed of New York was imprisoned for robbing the city of millions of dollars; Secretary of War Belknap barely escaped impeachment by resigning, and the president's private secretary, Babcock, was involved in frauds growing out of the handling of the internal revenue tax.

² Garfield was a Western man in spirit. He had been president of a college in Ohio, a member of the state senate, had won laurels with General Thomas at Chickamauga, had been a member of the lower House, and was United States senator when elected president.

issues, yet in one respect it meant much to the whole country. For the first time since the Civil War all the states of the Union had participated in the election, free from the interference of national troops, and strangely enough, every state south of Mason and Dixon's line voted for a Northern war hero for the presidency. There was no doubt that the South was "solid."

590. The Garfield administration; firmness of the president

Scarcely were the election results known when the pre-convention factional spirit made itself manifest again. Conkling, the "stalwart" leader, at the urgent request of Grant, had given active support to Garfield in the campaign, and expected in return some recognition of the "machine" in the distribution of federal patronage. Like Hayes, Garfield held a lofty conception of his responsibilities in such matters, and therefore all but ignored the claims of the "stalwarts." He made Blaine secretary of state, an appointment as distasteful to the machine politicians as could have been made. He turned a deaf ear to all the horde of hungry office-seekers who besieged him; and was considered by Conkling and his associates guilty of base ingratitude. Finally, after giving New York scant recognition, he ignored the endorsements of Conkling and his associate, Senator Platt, in filling the post of revenue collector for the port of New York. This was the straw that broke the camel's back. The two New York senators resigned their seats in Congress and appealed to the state legislature for vindication.¹

591. Death of Garfield; Arthur president

Partisan and factional politics now became so bitter that almost any outrage might have been heard of without surprise. The climax was reached when, on July 2, 1881, while leaving Washington on a brief vacation, the president was shot by a man named Guiteau, a disappointed office-seeker and fanatic who avowedly intended to make room for the "stalwart" vice-president. Garfield died on September 19th, and on the 20th Mr. Arthur took the oath of office as president.

The tragedy had one salutary effect. The country awoke

¹ Neither of these men was reelected. Conkling retired to private life, while Platt reentered the Senate in 1897 and remained until succeeded in 1909 by Elihu Root.

as never before to the evils arising out of the administration of the civil service. Public offices had been used too frequently in payment of political debts. The highest officials had not always scrupled to traffic in public appointments. Public office in many an instance was a sinecure, and he got it who could, by fair or foul means. The main thing was to get it. The "liberal use of soap," to quote Arthur himself, brought many "fat" jobs. The assassin's shot awoke the conscience of the nation and made itself heard even in the legislative halls.

592. The nation's conscience stirred

Public opinion had already demanded that Congress enact measures which would require the appointing power to consider an applicant's merits rather than his party affiliation; and in fact, a law had been passed in 1871 providing for the appointment of a commission to regulate such matters, but the federal patronage had proved too tempting to the greedy self-seekers of Grant's administration, and so the civil service commission had lapsed through a lack of funds for sustenance. President Hayes had been in sympathy with it but without congressional support could accomplish little. Outside of Congress, however, the sentiment had gained much force and had expressed itself in the organization of the National Civil Service League of 1880.

593. Civil Service League



CHESTER A. ARTHUR

The iron was now hot and the League decided to strike. Through the Democratic Senator George H. Pendleton of Ohio, the League secured the passage of a measure by which a system of competitive examinations was made to apply to a large number of federal offices, and the commission of 1871 was restored. It forbade the assessment of clerks for the campaigns of their chiefs, and gave the president power to extend the

594. The Pendleton Bill

system. It did not place all appointive offices upon the "merit" plan, but it gave strong emphasis to brains and character when "pulls" and "soap" were all too common. President Arthur was in hearty accord with the measure and gave it rather efficient enforcement. Perhaps 15,000 postoffice and customs officials were affected by the law, and the business of the government was put upon a more dignified and honorable basis. Civil service reform has gone forward at intervals in all the succeeding years and promises to reach a high level of efficiency.

ECONOMIC CONDITIONS REFLECTED IN POLITICS

595. The
prosperous
South and
West; the
corporations

There was no other very important national legislation during Arthur's administration, but it must not be supposed that it was a fruitless period. New issues were in the making. Forces were at work that were destined to affect profoundly every phase of the nation's life. Industry and commerce were expanding so rapidly that many questions in their train were being piled up for future solution. The South in particular was prosperous. Clark Howell, writing in the *Century Magazine*, April, 1913, says: "Students of the South are almost unanimous in agreeing that the fortunes of the section turned decisively in 1880. The deadening effect of the war, and the pessimism that followed it, were beginning to be outlived. The panic of '73 had been weathered with remarkable success, considering the handicap. . . Throughout the section a feeling of buoyancy became manifest, inspiring every element to new effort, and drawing the attention of Northern and foreign capital to the opportunities south of Mason and Dixon's line." The West was growing in like manner, and in the North and East the capitalistic element was combining into great corporations for the promotion of industrial interests, or for the more profitable development of transportation facilities. Again the country's attention was turned away from politics as such, to the seemingly more vital problems of economics and industry. Adversity threatened, it is true, in 1881, but only a few heeded it, and soon it was gone. Yet the economic conditions, pressing

forward new issues, were bound to be reflected in politics and government.

In 1882 the Democrats won control of the House and elected several state tickets. The presidential election was only two years away and the Republican party had not been welded by Arthur's administration. On the other hand, it had aroused the resentment of many people by its radicalism in the process of reconstruction; it had plundered the public treasury during Grant's administration, and the people knew it; many of its leaders had been involved in land and railway scandals; the high tariff, which it had levied during the Civil War and had now in Arthur's administration refused to revise materially,¹ was accumulating a surplus of money which proved too tempting to the party in power. These and other similar conditions led a number of the more honorable members of the party to attempt to reform it as the Liberal Republicans had done in 1872 (569). But James G. Blaine, formerly candidate for the presidential nomination in 1876 and 1880, had charge of the "machine," and manipulated it with precision. He and his associates opprobriously dubbed the reformers "Mugwumps" or "Big Chiefs," attempting in this way to discredit them with the rank and file of the party. The "steam-roller" worked beautifully at the convention and the reformers revolted and urged the Democrats to nominate Grover Cleveland of New York for the presidency.

Blaine himself was nominated by the Republicans over both President Arthur and Senator Edmunds of Vermont. He was a man of strong personality and positive convictions, and hence had the strongest of friends as well as the bitterest of enemies. He had been in public life a long time as member of Congress, speaker of the House, secretary of state, and twice as candidate for president. He was brilliant on the stump, wary in methods, and bitter toward his enemies; and he believed in maintaining

596. Efforts to reform the Republican party

597. The Republican nominee

¹ A commission was appointed in 1882 for the purpose of investigating the needs of the country on the tariff question. This commission made its report, upon which a tariff act was passed, but it only shifted the incidence without lightening the burden of taxation.

his party in power at any cost. His ability as a party leader was well known and his power was feared by his opponents. But the shadow of suspicion lay across his path. While speaker of the House, he had become the director and master of party policy, and had used his power and prestige to promote personal interests. There were those in his party who believed that he had received favors from some of the great railway and mining corporations, and that he was therefore under obligations to those very interests which the farmers of the West and South most hated. Whether the suspicion was well founded or not it left its taint, and led many conscientious Republicans to support the Democratic candidate.

**598. The
Democratic
nominee**

Grover Cleveland, whom the Democrats nominated much to the pleasure of the "Mugwumps," was in many ways a striking contrast to the Republican nominee. Instead of a long career of brilliant leadership, he had risen very gradually from humble beginnings. The son of a Presbyterian minister, he had early manifested the strong principles of a forceful character. He had been reared in western New York, and had served in what his hand had found to do, first as a clerk in a country store, then as a teacher, and later as assistant in a law office. He became district attorney for Buffalo at the age of twenty-six, and sheriff of Erie county a few years later. In 1881 he was elected mayor of Buffalo, and the next year governor of New York by the handsome plurality of 192,000. All the way up the line he displayed remarkable poise and stamina. Cool, honest, fearless, he had boldly upheld the right as he saw it and wherever he met it. He was young and strong and free of the taint of doubtful associations. He was without legislative experience; indeed, he had not handled any of the machinery of the national government. In his lofty conception of public office, in his forgetfulness of by-gone issues, in his appreciation of the many complex and practical questions of the new industrialism, in honesty of purpose, and in rugged strength of character, he typified the man of the new day. For these reasons the "Mugwumps" gave him their support and made him president. The

campaign turned on personalities. The Republican candidate attempted to drag the ghost of the Civil War before the country again as he had done in the campaign of 1880. Now, as then, it worried him greatly because there were "four and a half millions of negroes in the South who don't have anything more to do with the government of the United States than they do with the government of Great Britain; endowed with American citizenship, and yet as capable of exercising the right of franchise as if they were in the moon." But "the bloody shirt" had lost its rallying power. He could find no comfort in Cleveland's official record, and so turned with his associates to the slime of personal criticism. The Democrats came back with the charge of fraud and complicity in railway and land scandals, and descended to littleness in attempting to injure Blaine by publishing that his mother was a Roman Catholic.

The ballots were very close. New York was the pivotal state, where Cleveland finally led by a majority of 1149 votes out of a total of more than a million. The national vote stood 4,874,986 for Cleveland to 4,851,891 for Blaine, while the electoral college gave Cleveland 219 and Blaine 182 votes. It was the first victory of the Democratic party since 1856, though it had enjoyed a majority in the Senate once and in the House four times since that date. It was even now handicapped by a Republican Senate. Perhaps the most significant thing about the election, however, is best indicated in a letter by Ebenezer Hannaford to *The Nation*, November 20, 1884. In part, it reads as follows: "Among the many 'lessons of the election' is not this an obvious one, that the American people are ready to smooth out and iron down 'the bloody shirt,' do it up with care



GROVER CLEVELAND

599. Election of 1884

and camphor, and put it away in the back closet of party politics? Not that the nation's heart for one moment throbs less true to the Union or the cause of universal freedom than it did twelve, sixteen or twenty years ago, but simply that the plain practical men who make up . . . the great mass of our voters, have come to regard the settlement of the war issues as safe beyond the possibility of undoing; and, further, to require of political parties that their aspirations and endeavors 'fall in' with the soul of Capt. John Brown, and keep marching on. . . With all their hearts they [Independent Republicans] believe in progress, in movement straightforward, that is, and not round and round in a circle like the wheelings of a hunted ostrich, or the wanderings of some lost wretch in a snowstorm. They have their convictions, and the 'courage of them,' too. Nobody crusades more vigorously than they. But it is against the living hordes of despoiling infidels that they demand to be led, not against those elder evaporated infidels, the mummies of the Pharaohs. . . The influential and steadily increasing class of voters in question can never be rallied around the ghost of a dead past. They will, as heretofore, fight in the front rank, but they will insist on being placed face to face with existing verities, real issues, living questions. . . They are too old birds, these Independents, to be caught with chaff from a thrice beaten sheaf, or frightened by a scarecrow rigged out in their own discarded feathers." Cleveland's election was a proof not only that the country was interested in the newer economics and industrial problems, but that it was also demanding that statesmen and political parties should turn their attention to the solution of living questions instead of wasting their labor and soiling their hands with worn-out issues.

SUMMARY

As the era of reconstruction drew to a close, business interests sprang up to take the place of sectional issues. The nation definitely committed itself to a policy of industrial development hitherto unequalled in the history of the world. Men began to give all their thought and energy to the making of money and the result was the accumulation of fortunes and the develop-

ment of new industries. Day in and day out the question which every man thought most about was, will it pay? Naturally, therefore, legislation and all questions of national interest were settled in terms of business interests. In other words, in the public mind no question was settled right until it was settled favorably to business. East, West, North, and South were developing their material resources with a wonderful rapidity that overtaxed the currency system of the nation, brought on, in part at least, the panic of '73, and expressed itself in strikes, new social and political organizations, and an attempt to revise the national monetary system.

Parallel with this industrial expansion arose a higher conception of the duties and functions of political office. The opposition to this new undercurrent expressed itself in the defeat of Hayes for renomination, in the organization of the "stalwart" wing of the Republican party, and in the assassination of President Garfield. The new movement made itself felt in national politics when the civil service was overhauled, when the Pendleton Bill was passed, and when the "Mugwumps" bolted the Republican "machine" and helped the Democrats elect Grover Cleveland president.

REVIEW QUESTIONS

1. About what did the American people begin to think most after the issues of the Civil War began to pass? About what is the everyday thought of the people of this country now?
2. What was the condition of the South in 1876? What was the basis upon which she might build with hope in the future?
3. What factors contributed to the growth of the West in the seventies?
4. What effect did the West have in turning men's minds away from the passions and prejudices of the Civil War and Reconstruction?
5. What was the effect of the war upon the material development of the North?
6. What significance do you see in the withdrawal of the troops from the South by President Hayes?
7. Show the relation of expanding industry to the panic of 1873.
8. Why were the Greenback party and Farmer's Alliance formed in the decade ending in 1880?
9. What historical significance is to be found in the strikes of the same decade?
10. Was the demonetization of silver responsible for the hard times of 1873?
11. Why did the price of silver fall about this time?
12. How was the Bland-Allison Act (1878) an expression of the new industrialism?
13. What gives to paper money its value?
14. What was John Sherman's meaning of Resumption?
15. Why was President Hayes not renominated for a second term?
16. What was the principle to which President Garfield sacrificed his life?
17. What new forces were gathering strength during Arthur's administration?
18. What significance should be attached to the "Mugwump" movement?
19. How do you account for Cleveland's election in 1884?

CHAPTER XXVII

GOVERNMENT FOR THE PEOPLE

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PUBLIC OFFICE A PUBLIC TRUST

600. False
prophets
rebuked

If the election of 1876 had been prophetic of a new day, the election of 1884 announced its dawn. Unscrupulous politicians had viciously predicted in the campaign that if Cleveland should be elected the negroes would be reduced to slavery and that the Confederate debt would be assumed; and doubtless the effect of the insolent negation of a people's intelligence was similar to that of the far-famed political boomerang. The voters elected to rebuke the ghouls who would even falsely pretend to disturb a dead past, and voted in accordance with the demands of a living present. Moreover, the man whom they elected, felt deep down in his heart the conviction that "public office is a public trust," believed in the dignity and importance of the executive office, and was determined to use it in the interests of the people.

601. Cleve-
land's un-
prejudiced
appoint-
ments to
office

That new considerations were to govern henceforth was evident from the beginning of Cleveland's administration. The election of 1884 had given the Democrats a majority in the House, but the Republicans had retained control of the Senate. After such a long period of humiliation the Democrats naturally

felt that the Republicans should be immediately dropped from the national pay-roll. If their hopes and expectations had been questioned, they no doubt would have justified themselves by the fact that the opposing party, while enjoying exclusive and unrestrained control of all federal emoluments for twenty-five years, had never failed to make the most of its opportunity. Moreover, the Liberal Republicans, who had urged the nomination of Cleveland by the Democrats and who had really made possible his election, felt that they should not be ignored in the rearrangements that would follow a change of administration. This they had hoped for the more because in the campaign Cleveland had virtually pledged himself to an extension of the civil service. They were doomed to disappointment; not because the president did not mean to keep his pledge, but rather because he knew better than they how an efficient and permanent reform could be worked out. In making up his appointments, therefore, he did not hesitate to ask for the resignation of Republicans who might use their offices to thwart the purposes of the administration or to promote the interests of their own party. He felt no inconsistency in filling with Democrats offices that had automatically become vacant through a change of administration, and he believed that he could greatly heal the wound of sectionalism by disregarding the Mason and Dixon line in the selection of a cabinet and in filling ambassadorial posts. He accordingly chose three cabinet officials from the South,¹ gave a number of consulships to "rebels," and removed hundreds of politically offensive postmasters. Naturally this procedure brought upon him the wrath of the Mugwumps, not to mention the machine of the Republican party. These differences over the distribution of patronage were aggravated by others perhaps more fundamental.

Two conditions had arisen out of the Civil War which together had fastened upon the country a most iniquitous custom — a full national treasury and a ponderous Republican ma-

602. The surplus; pensions; tenure-of-office act repealed

¹ L. Q. C. Lamar of Mississippi, secretary of the interior; Thomas F. Bayard of Delaware, secretary of state; and William H. Garland of Arkansas, attorney general.

jority in Congress. It was all but inevitable, therefore, that the people's money should be used for partisan purposes, while it was almost equally sure that the pension system would become the medium of plunder.¹ Millions were poured into the laps of federal ex-soldiers without serious investigation of merits. All this was contrary to Cleveland's sense of public honesty and led him to exercise a restraining hand. Republicans and Democrats alike chafed under this pressure and made up their minds to retaliate.

They found opportunity when the president removed from office one Dustin, a district attorney of Alabama. Seeking cover under the Tenure-of-office Act (561), which had been conveniently forgotten since the impeachment of Johnson, the Senate refused to ratify the president's action. He in turn asserted in no unmistakable terms his constitutional right as executive to remove such officials, and exhibited a dogged determination to put aside every consideration that interfered with a "government for the people." There could be no decent questioning of such a position, yet it provoked a bitter controversy in the Senate. In the end, however, not only was the president sustained, but the Tenure-of-office Act was repealed (December 17, 1886). Congressional leaders had learned that there was understanding, conscience, and backbone in the executive chair; nor has that department of the government greatly suffered for want of personal power since that time.

603. Presidential Succession Act; provision for settling election disputes

Contributing to the same result and exhibiting to a degree the ability of Congress to deal with questions outside the realm of partisan politics, was the Presidential Succession Act of the same year (1886). Some anxiety over the order of succession to the presidency had been experienced in President Arthur's administration and had twice expressed itself in a Senate bill which sought to amend the law. An unexpected situation forced the question upon the attention of Congress

¹ Strangely enough, the farther we get away from the Civil War the larger grows the pension bill. In 1912 it reached the extravagant sum of \$229,000,000.

in 1885. Under the law at that time, in case of the death or disability of both the president and vice-president, the succession passed to the president *pro tempore* of the Senate and then to the speaker of the House. The Senate had elected John Sherman, a Republican, president *pro tempore*; and Vice-President Hendricks died; thus the Democratic control of the executive department of the government might be lost, only the life of President Cleveland standing against such a contingency. Furthermore, if Cleveland should die while Congress was not sitting there would be no legal succession.

The Presidential Succession Act provides "that in case of removal, death, resignation, or inability of both the President and Vice-President of the United States" the cabinet officers shall succeed in the order of their creation, beginning with the secretary of state.

Another vexing problem which was settled in this administration, and the settlement of which was evidence of a more dispassionate consideration of public questions, was the method of counting the votes of the electoral college. Thoughtful men had wanted to preclude the possible recurrence of crises like that of 1876 (571), but could not overcome the passion engendered by that contest. By an act of February 3, 1887, it was provided that thereafter the settlement of such disputes should be left in the hands of the state involved, Congress acting as final arbiter only when such state should fail to reach a decision.

LABOR AND COMMERCE

But, after all, these were minor questions compared with those that grew out of expanding industry and commerce. The building of the railroads to the West (580) had not only increased the number of stars on the national flag¹ and poured

604. Demand for labor brings undesirable immigration

¹ North Dakota, South Dakota, Washington, and Montana were admitted to the Union as states in 1889, while Idaho and Wyoming came in in 1890. Utah was not admitted at this time because of her practice of polygamy. She finally outlawed it and was admitted as a state in 1896, under a constitutional guaranty that polygamy should forever be prohibited.

untold wealth into the lap of the nation, but it had also brought with it a train of problems concerning immigration, transportation, etc., that have puzzled the brains of the best statesmen from that day forward. The increased demands for labor incident to the rapid development of all parts of the country had brought into the mines, the factories, and the railway organizations great numbers of foreigners from almost every country in the world. As a rule these were not of the



IRISH

SWEDE

GERMAN

ITALIAN

RUSSIAN

CHINAMAN

TYPICAL IMMIGRANTS

good class of people who were at the same time unlocking the agricultural resources of the West and Northwest. Inferior in intelligence and in ideals of life, they were almost wholly incapable of understanding American institutions. They had lived in their native homes under the most abject economic conditions and therefore had learned to live, as it were, on the crumbs from the rich man's table. Many of them had heard of liberty but knew so little of its meaning that to them it was a sort of talisman. They imagined that any form of government that bore the name of democracy offered coveted opportunity for license. They could not understand that free government is but the corollary of enlightened mind — a result rather than a cause. They had caught no vision of the better self; had felt no inspiring force lifting them upward. Their physical cravings obscured from their own eyes their spiritual

needs. The task of assimilating into the national life the sturdy and thrifty German and Scandinavian farmers of the West and North was an easy and wholly promising process. The Irish and English who came into the New England and Middle Atlantic regions were equally easy of absorption. The case was different with the immigrants from southern and southeastern Europe and from China. It was inevitable from the beginning that races so vastly different in character should find difficulty in working together in peace. The Caucasian laborers of the Pacific coast soon learned that it was impossible to compete with the "heathen Chinee." Living on a higher plane, the Americans required a better return for their labor and hence were soon out of employment. When their demands for remedial legislation went unheeded they resorted to violence. Riots became common, especially in San Francisco, and life and property suffered immensely. In 1879 Congress had passed a Chinese exclusion bill, but President Hayes vetoed it through fear of retaliation. The next year a treaty was made with China by which the right to regulate Chinese immigration was conceded to Congress. In 1882 President Arthur vetoed a second bill excluding Chinese immigrants for twenty years. Other regulatory measures followed until, in 1888, the question of Chinese immigration was permanently settled by prescribing rather stringent conditions upon which inhabitants of that country may enter the United States. Succeeding measures have sought to strengthen this act and to define the relation to the government of those who are already inhabitants of the country.

One phase of the labor question was thus settled, and at the same time a part of the race question. But there were enough of such problems ahead. More dangerous than the Chinaman was the anarchistic foreign element now found in the great cities. Being wholly out of sympathy with American ideals and institutions, and many of them destitute of this world's goods, they would form themselves into secret revolutionary bodies and preach their doctrines of anarchy and riot. Extreme danger

605. Anarchists

became apparent in May, 1886, when they carried through a campaign of incendiarism, treason, and murder, killing seven policemen in the Haymarket at Chicago, by the explosion of a dynamite bomb. Four of them were convicted and executed, but the danger was not permanently averted. The unassimilated and seemingly unassimilative foreign element distresses the country with one of its most serious present day problems, more portentous by far than the negro question.

LABOR AND CAPITAL

606. The
unions;
strikes;
Bureau of
Labor —
1884

Other serious labor problems arising out of a new industrial system have found a more prominent, if not a more important, place in the national life. Happily, however, they are American problems and are approached by opposing parties with equal intelligence and patriotism. Broadly speaking, they are questions growing out of the relation of labor and capital. In the preceding chapter reference has been made to certain labor organizations. Among the first objects of these bodies was the protection of American laborers against the competition of foreigners. In later years organized labor has found a larger and more unselfish service in attempting to ameliorate the conditions of living among the labor people. It is true that the desire for increased wages, shorter hours, and a monopoly of the labor market have been primary factors with a large number, but many of them have seen in these more humane conditions opportunities for greater enlightenment and higher culture. For example, a higher wage would make possible more wholesome food, better clothing, and more sanitary and comfortable homes. Shorter hours would also furnish leisure for intellectual and social development. Laws regulating child labor would conserve the lives of the children and give them an opportunity for acquiring the rudiments of an education. These demands evidently express the better aspirations of the labor element and should be interpreted as one of the hopeful signs of the times. As the labor unions increased in numbers and power, they extended their demands beyond the field of social and economical interest

to matters more directly political. The Knights of Labor, numbering 700,000 members in the first year of Cleveland's administration, asked for a graduated income tax, compulsory arbitration of disputes between labor and capital, and government ownership of telegraphs, telephones, and railroads. The demands of labor were strongly interpreted by Henry George in his *Progress and Poverty* and by Edward Bellamy in his *Looking Backward*. These two books have continued to do a wonderful service for American labor. When the labor unions failed to get what they wanted by state or national legislation, the more ignorant and irresponsible members sometimes joined with foreign workmen in strikes and riots. Statistics seem to prove that during the first year of Cleveland's term of office, there were seven hundred or more strikes. The president was impressed with the seriousness of these movements and earnestly recommended to Congress the establishment of a federal labor commission whose duty it should be to study carefully needs and conditions, and adjust disturbances between capital and labor. The creation of the National Bureau of Labor in the Department of the Interior in 1884 perhaps led Congress to feel that enough had been done for the time in behalf of organized labor and so the president's recommendations were not embodied in law. But the labor element was by no means discouraged. On the other hand, it had gained great confidence in itself, had perfected a national organization, the American Federation of Labor, and had taught the country to have more respect for the laboring man.

Indeed, the labor agitations had helped to call the attention of the statesmen and public men in general to the high cost of living and to federal extravagances. The president felt keenly the justice of many of the claims of labor and saw at the same time a gradually increasing surplus in the national treasury. This surplus, which had now reached the enormous sum of \$450,000,000, was bad, not only as a business condition, but also as a very tempting bait to political grafters. The farmers of the West and South, complaining of governmental favoritism to

607. Questions relating to a protective tariff

the manufacturers and railroad magnates of the East, joined with the labor element in protests against class legislation. President Cleveland found, as he thought, the seat of the trouble. Tariff duties levied during and since the Civil War had proved distinctly savory to the capitalistic element of the North and East. Consequently the sentiment of tariff reform had been comparatively weak, despite the fact that a national surplus had been accumulating all the while notwithstanding the governmental extravagances and political graft that characterized the early post-bellum period. The president believed that much of the economic unrest could be alleviated by a reduction of the tariff. It was not so much a question of how to spend as much money as came into the government's pockets, as how to secure for all classes a just share in the nation's prosperity. In his annual message in December, 1887, he declared that "the necessities of life used and consumed by all the people, the duties upon which add to the cost of living in every home, should be greatly cheapened. . . . The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the government, and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers." This was plain talk and rang true in the ears of the common people. The president had twice before recommended tariff revision and Congress had refused to follow on account of certain reactionary Democrats in the House who represented an industrial suffrage. This time the unmistakable tone of the president's message and his fearless defence of the consumer brought the reactionaries of his party into line and secured the passage of a bill, prepared by Roger Q. Mills of Texas, reducing the tariff in such a way "as not to necessitate or justify either the loss of employment by the workingmen, or the lessening of their wages." The average reduction was perhaps as much as eight per cent. The Republican Senate defeated the measure and the president's battle for the people was lost. He had especially sought to serve the laboring and agricultural classes

of the West and South and consumers everywhere, but he had been defeated by organized capital in the North and East.

The unexampled prosperity of the country after the panic of 1873 had greatly encouraged the development of "big business" in the New England and Middle Atlantic states. Before that panic, industry had been more or less individualistic; thereafter, it was largely corporate. The organization of labor mentioned in the preceding pages saw its counterpart in the combination of capital. The business interests found it economical and profitable to operate with large capital, and hence formed great corporations that covered the country. In some cases they became so powerful as to monopolize an entire industry. This they did in various ways: sometimes through superior management, sometimes through the purchase of competing companies, sometimes through the unfair manipulation of prices, and, more often, through the absorption of a majority of the stock of competing enterprises by a few men who constituted themselves a board of directors for the combined industry. This last form of organization is called a "trust." Practically all of the leading industries of the country had now passed under this form of control — oil, lumber, railway, mining, sugar, tobacco, and other trusts which maintained lobbies at the national capital and greatly influenced legislation. In many instances they brought strong pressure to bear upon Congressmen and effectually thwarted the interests of the people, while at the same time they corrupted the great law-making branch of the government.

THE RAILROADS

Among the worst of the great organizations were the railroads. The enormity of their offences was brought to the public eye by reason of their indispensable service to a rapidly growing people. The wonderful development of the agricultural and mining resources of the West and South had modified the relation of these sections to labor and other social problems and also to the national wealth; and, of course, these regions became fields of exploitation for organized capital. The cities which

608. The corporations

609. The tyranny of transportation companies

sprang up while the crops were growing could consume but little of the mineral and agricultural products, and transportation to distant markets, therefore, became a matter of universal concern to the farmer, the miner, and the business man alike. The opportunity for the railroads was great enough even under legitimate management, but, in those days, "big business," like politics, was not over-honest in its methods. The railroads, of course, had a practical monopoly of the transportation facilities in these new regions from the beginning. There was nothing wrong with this so long as they were managed with a sense of responsibility to the people served. Unfortunately, they used their monopoly without mercy. Excessive freight rates were regularly charged, thus placing a burdensome tax upon the consumer and producer alike and taking away from the legitimate owner much that he had earned with the sweat of his brow. Worse, perhaps, than this was the practice of discrimination between shippers. This evil manifested itself in two forms. Oftentimes more was charged for a short than for a long haul because of competition among trunk lines. This put the local shipper at a great disadvantage and reacted with equal hardship upon the producer. Localities in which the railways had pecuniary interests received cheaper rates than others, and rebates were given to favorite shippers. In addition to these evils, competing lines were merged into trusts and "pooled"¹ their earnings, thus destroying competition and making it easy to fix exorbitant rates. They entered into agreements of mutual profit with the steel trust, the oil trust, the meat trust, etc., and thus reaped untold profit from the necessities of the people.

**610. The
Interstate
Commerce
Act**

The first popular protest against these wicked methods of the railroads manifested itself in various state legislatures. Laws were passed not only prescribing equitable freight rates within a state but endeavoring also to regulate interstate traffic. This brought a series of difficulties to commerce,

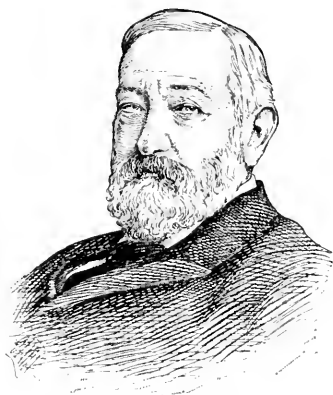
¹ To "pool" is to contribute to a common stock upon the basis of a mutual division of profits or losses.

similar in effect to the tariff laws of the states under the Articles of Confederation. The laws were difficult of enforcement and failed to reach the seat of the trouble. Naturally, relief was sought from Congress. In 1884 Senator John B. Reagan of Texas introduced an Interstate Commerce Act designed especially to help the farmers and small shippers. On January 18, 1886 Senator Shelby M. Cullom of Illinois reported a bill for the committee appointed "to investigate and report on the subject of regulating the transportation of freights and passengers between the several states by railroads and water routes." More than a year was consumed in debate and in attempts to amend or to substitute. On February 4, 1887, the Interstate Commerce Act became law. It created a commission of five men and clothed them with power to investigate the books of railroads doing interstate commerce. It forbade "pooling," and discriminating in the matter of rates, and was expected to secure equitable rates. It required publicity of railway tariff schedules and empowered the commission to interrogate railway managers. The roads continued much of their iniquitous business because the commission lacked certain powers; but subsequent Acts have materially strengthened the commission and greatly extended its usefulness. It was given authority in 1891 to compel testimony; in 1893 a supplementary Act was passed compelling testimony even at the risk of self-incrimination. In 1903 the Elkins Bill forbade rebates from published tariff rates, penalizing both railroads and shippers guilty of violation of the Act. In 1910 the powers of the commission were extended over telephone, telegraph, and cable companies, and were greatly enlarged with respect to rate making. The Act was especially significant from the view point of the people, who had at last found a power that could at least do something to restrain the cupidity of corporate wealth. In a later chapter it will be shown how the people are now applying the lessons here learned to almost every public service industry in the country.

THE ELECTION OF HARRISON

611. Presi-
dential elec-
tion,
1888

As the presidential election approached it was evident that Cleveland would be renominated, though he had grievously disappointed the leading politicians of his party. He had acted with such courage and honesty, had faced the new problems of industrialism with such intelligence, had "relegated to the limbo of oblivion" the issues of sectional antagonism with such ruth-



BENJAMIN HARRISON

less indifference, that not even his bitterest enemies dared oppose his nomination. He was, therefore, nominated by acclamation at the convention of his party in St. Louis, June, 1888. The Republicans offered their nomination to Blaine, who was now away in Europe, but he refused it and recommended General Benjamin Harrison of Indiana, United States Senator, lawyer, veteran of the Civil War, and grandson of former President William Henry Harrison.

The campaign was pitched on a much higher plane than that of 1884. Instead of abusive personalities and the outworn issues of the Civil War, the tariff question constituted the storm center of political action. The Republican press and platform hammered Cleveland as a "free trader" and tearfully prophesied the gloomy fate of the working classes in case of his reelection. Wages must needs go down and thousands would be out of employment should the Democrats be returned to power. As before, the contest depended upon the vote of New York. Unfortunately, the reactionary Democratic governor in that state, David B. Hill, sold the prospect of the national ticket for enough Republican votes to reelect himself governor. Harrison carried the state by a small margin and was elected to the presi-

dency. It should be said, however, that Cleveland was sustained in the popular election by more than 100,000 votes. Government for the people had lost the election but it had set up new ideals of service in the public mind and had given the country fresh hope in the struggle for economic and industrial freedom.

SUMMARY

President Cleveland came into office in 1885. He believed that government should be administered for the good of all the people; and he set a high standard of efficiency for the whole public service. Such conception of duty led to improvement of the civil service, to the repeal of the Tenure-of-office Act, and the creation of the Interstate Commerce Commission. Strongly opposed to extravagance in the use of the people's money, and especially for partisan purposes, the president lost the support of those Democrats who were patriots "for revenue only." Congress also was beginning to consider public questions in the light of the public good. It passed the Presidential Succession Act, and the law which leaves disputes concerning electoral votes to be settled by the states involved.

The most important issues that President Cleveland had to face were those growing out of the new business expansion. The demand for labor brought to the country a large number of foreigners who had no sympathy with American institutions and who provoked riots and strikes; and these circumstances gave rise to a series of more stringent immigration laws, directed especially toward the Chinese. Because of the increased importance of labor and the bad conditions under which it was compelled to work, labor organizations were formed which demanded shorter hours, better pay, and more sanitary conditions of living. The continued discussion of these questions forced the attention of the country to the whole problem of the high cost of living, and led many men, among them the president, to fix the responsibility upon the protective tariff. An attempt to reduce it was defeated by the Senate, and the industries of the country continued to reap large profits from import duties. The accumulation of wealth now led to corporate industry on a very much larger scale than ever before, and "big business" began to exert purposeful and questionable influence upon politics and government. Wealth was expanding and developing the country as well as itself, and felt that it had the right of exploitation. Among corporate offenders were the railroads, which were charging excessive and unequal rates despite the fact that the government, the agent of the people, had subsidized them with large grants of land. To regulate them, Congress created the Interstate Commerce Commission (February 4, 1887); and since that date it has extended governmental supervision to a number of corporate

enterprises. Such a vigorous administration of the people's business naturally developed opposition to President Cleveland, and he was defeated in 1888 by the Republican candidate, Benjamin Harrison.

REVIEW QUESTIONS

1. What encouraging prospect might have been seen in the election of 1884? Give reason for your answer. 2. How did Cleveland's conception of public office differ from the general conception before his administration? 3. Explain clearly what is meant by the oft-quoted expression, "public office is a public trust." 4. What legislation in the early part of Cleveland's first administration exhibited a broader spirit toward public problems? 5. Show how the Chinese question was an outgrowth of the new industrial conditions. 6. What danger to our country arises from immigration? Would it be wise to exclude all immigrants? 7. Show how the riot in Haymarket Street, Chicago, was due to the new economic and industrial conditions. 8. What are some of the present day problems growing out of the relations of capital and labor? 9. What are some of the higher and nobler purposes that animate organized labor? What are some of the material motives? 10. Do you think that increased knowledge of mutual interests and better understanding of all public questions would help to solve the trouble between capital and labor? Why? 11. What evils did President Cleveland hope to remedy by a reduction of the tariff? Did he succeed? 12. What is a "trust," and why did such organizations come into existence? How did they affect national politics? 13. What part have the railroads had in developing our resources and contributing to our prosperity? 14. In what way have the railroads abused their power and done injury to the people? What attempt has the government made to correct these abuses and what other solution has been offered? 15. What kind of tariff did President Cleveland favor? 16. What were the issues in the campaign of 1888? 17. Can you see in President Cleveland's administration a tendency to give still more regard to the people? 18. Show that "big business" was beginning to feel that the government might get in its way.

CHAPTER XXVIII

GOVERNMENT FOR THE PARTY

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ILLUSTRATIVE MATERIAL. — Payne, *Money Captain*; Merwin and Webster, *Calumet K., Short Line War*; Anon, *The Breadwinners*. (See list in chapter xxvii.)

REPUBLICANS REVERSE CLEVELAND'S POLICIES

The election of 1888 had not only retired a Democratic president, but it had also returned a Republican majority to Congress. The triumphant party now came back with equal confidence in its own wisdom and in the people's support. Setting itself from the first squarely against the policies of the Cleveland administration, it advanced the tariff rates, disposed of the treasury surplus in increased pensions and a stronger navy, and played politics with the currency question. Its feeling toward the South had lost a degree of its old-time bitterness, but was still tinged with a touch of intolerance. The new president, possessing in no large measure the powers of leadership, was made the catspaw of those more influential. A veteran of the Civil War, his ideals were largely those of a former day. Service to his party was paramount to service to his country. Not that he was dishonest or unpatriotic from his view point, but that he belonged to a by-gone political age. He was out of his element in both time and place, and was therefore unable wisely to serve the whole people. He was under obligation to the brilliant, aggressive,

612. The
return of
the bosses

partisan Blaine, whom he made his chief adviser in the cabinet. His influence upon the Senate was overshadowed by the able and skillful leadership of Senator John Sherman of Ohio. In the House, the despotic speaker, Thomas B. Reed of Maine, built up a machine that needed only the press of the button to make effective his own will. So absolute was the speaker's control of his party in the House that in recognition of his autocratic port and power he was called "Czar Reed." Under such leaders it was all but inevitable that the executive department should lose much of the prestige that it had gained during Cleveland's administration, and that the party machinery should be manipulated for partisan purposes.

613. Congressional extravagances

As in previous days, the national treasury offered the first and best opportunity. It had greatly tempted the Democrats, who had been fortunately restrained in a measure by the executive veto, Cleveland having put the ban upon the Dependent Pension Bill of 1887 along with some hundred others of the same kind. The Republicans naturally received the support of the Civil War veterans and no less naturally wished to keep it. There was more money in the treasury than was needed for other purposes, so why not be liberal in the care of those who had saved the Union? Why be so scrupulous as the former president had been in weighing the claims of old soldiers? They had performed a great service at the risk of their lives and in sacrifice of their best days. It would be base ingratitude to refuse their demands. The result of such a policy was a foregone conclusion, and a veritable raid was made upon the national treasury. The pension bill at the beginning of Harrison's administration amounted to \$89,000,000; at its close it had reached the exorbitant sum of \$159,000,000, and the end was not yet. The worst feature, however, was not the excessive amount, but rather the motive behind it. Along with its extravagance in pensions the Republican party also turned back into the Northern state treasuries the sum of \$20,000,000 which had been collected in direct taxes during the Civil War. Expensive public buildings were erected in hundreds of small

cities and ship subsidies were proposed to build up the national commerce. Lighthouses, harbors, and coast defences consumed large sums, and a costly and effective navy was built, placing the United States well toward the front in naval equipment.

It should be said, however, that the Republicans faithfully kept their promises in regard to the tariff issue. They took their election as an endorsement of the protective tariff policy, for which they had fought in the campaign. They had said that such a tariff was necessary for the preservation of our infant industries and the protection of American laborers. They had contended with effectiveness that the Democratic policy contemplated a condition of free trade that would ruin manufacturing industries and throw many thousands out of employment. Accordingly, the Ways and Means Committee of the House set itself the immediate task of saving the country, or at least a portion of it. Early in 1890, the chairman of this committee, William McKinley of Ohio, brought in a measure effectually raising the tariff on many of the necessities of life, such as clothing, fuel, food products, implements, and common household articles, though it opened a way for a limited reciprocity policy. It passed the House after a two weeks skirmish and went to the Senate. Here it was held up for months by the Democrats and a few hesitant Republicans, until October 1, when it became a law. The Democrats had fought the measure as a piece of class legislation, had contended that it would raise the price to the consumer of protected goods, and had expressed the fear that it would augment the treasury surplus and thus increase the temptation to official extravagance and dishonesty. The vote by which the measure passed was strictly partisan, and the issue was now clearly drawn for the next presidential election.

In the same year with this tariff legislation the Republicans likewise attempted to amend the Federal Election Law in such a way as to deprive the South, and hence the Democratic party, of some of its representation in the House. In most of the

**614. The
McKinley
Tariff Bill**

**615. The
Federal
Election
Bill**

Southern states laws had been passed that practically nullified the fourteenth and fifteenth amendments to the Constitution. The white men of the South, making law of necessity, had taken almost exclusive control of all elections, and battalions of negro voters of a former day had deserted their colors. Representation in Congress, which was based upon the total citizenship, regardless of color or previous condition of servitude, was out of all proportion to the actual voting strength of the Southern states. The Republicans now put through the House a Federal Election Law (1890) providing for the appointment of federal supervisors of national elections. Though the measure failed in the Senate, it is significant in several ways: It expressed a sentiment of impatience with all attempts to evade federal authority; it marked the last effort on the part of the North to interfere in Southern elections, though the subject continued to give rise to dispute; it exemplified the anxiety of the Republican party to maintain its control of the federal machinery.

**616. The
Sherman
Act**

Indeed, so slender was the majority of the Republicans in Congress that they could do little more than play to the galleries. Washington, Wyoming, Idaho, Montana, North Dakota, and South Dakota were admitted in 1889 and 1890, partly at least with the hope of increasing the number of Republican senators and representatives in Congress. But as has been seen, these Western states were chiefly interested in agriculture, mining, and stockraising, and were about as likely to cast their political fortunes with the agricultural South and the Democrats as with the industrial East and the Republicans. Indeed, sympathy between the West and South over many questions of transportation, agriculture, etc., was increasing. The Farmers' Alliance had been formed in 1887 in the rapidly developing West and South, and a national People's Party was in process of development at the same time. The silver states, Montana, Nevada, Idaho, Colorado, and Wyoming, joined the new movement because their products, like those of the farmers, were steadily declining in value, and, like the manufacturers of the East, they believed that their peculiar interests should be protected by the

federal government. The silver in a standard dollar was worth 89 cents in gold in 1878 and only 73 cents in 1889. In order to make use of this growing restlessness in the new states and to keep their leaders loyal to the Republican party, the politicians again began to tamper with the currency question. Senator Sherman secured the passage of an Act in 1890 which repealed the Bland-Allison Act of 1878 and directed the secretary of the treasury "to purchase, from time to time, silver bullion to the aggregate amount of four million five hundred thousand ounces, or so much thereof as may be offered in each month, at the market price thereof, not exceeding one dollar for three hundred and seventy one and twenty-five hundredths grains of pure silver, and to issue in payment for such purchase of silver bullion, treasury notes of the United States to be prepared by the secretary of the treasury, in such form and of such denomination . . . as he may prescribe. . . That the treasury notes . . . shall be redeemable on demand, in coin . . . and such treasury notes shall be a legal tender in payment of all debts, public and private. . . That the secretary of the treasury shall each month coin two million ounces of the silver bullion purchased under the provisions of this Act into standard silver dollars until the first day of July, eighteen hundred and ninety-one" and as much thereafter as necessary "to provide for the redemption of the treasury notes herein provided for." The Act further declared that it was "the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio, or such ratio as may be provided by law." The price of silver had an upward turn at first, but the law of supply and demand was more powerful than the law of Congress, and so the price again took a tumble.¹ The results of this measure were reaped by the next administration in a general panic.

The country now went into a Congressional election. Hard 617. Con-
as the Republicans had tried to curry favor with the voters, they gressional
could not stem the tide of opposition which their extravagance revolution

¹ In 1892 an ounce of silver was worth 67 cents.

and the high cost of living brought upon the party. The results were decisive. The Republican majority in the House was supplanted by the Democrats in the ratio of 235 to 88. This put an end to important legislation for the next two years and gave the spectacular Blaine an opportunity to enjoy the limelight.

BLAINE IN THE LIMELIGHT

618. The
seal fish-
eries

Among the first problems incident to his office as secretary of state was one which Mr. Blaine inherited from the Cleveland administration. The United States looked upon the Bering sea as a natural part of Alaska and hence subject to federal control; but the seal fisheries therein led British sealing vessels to disregard these views and to treat Bering sea as open waters. In 1886 and again in 1889, United States revenue cutters seized British trading vessels outside the three-mile limit from the shore. Blaine now added to the old argument mentioned above the additional contention that wherever they went the seals were "tame herds" which belonged to the United States. Great Britain resented this sort of defence in no unmistakable terms and Blaine was forced to yield or become responsible for an unwelcome conflict. The matter was at length settled in 1893 at Paris by a board of arbitration. The United States lost every contention and had to pay damages besides.

619. Rela-
tions with
southern
republics

Blaine had long cherished the dream of augmenting the influence of the United States in South and Central America through commercial treaties and the cultivation of friendly relations. During the Garfield administration he had acted as peacemaker between Chile and Peru, assuming, by his methods, the role of a would-be international arbiter for the southern republics. He had long advocated a policy of reciprocity with these nations, and it was through his influence that such an element was embodied in the McKinley Tariff Bill. He had taken steps looking toward the control of an Isthmian canal, and had encouraged a Pan-American Congress in 1881, which, long deferred, assembled in October, 1889, at Washington. It

discussed questions of trade, currency, and arbitration, and recommended a Pan-American railway. The material results were almost unnoticeable, but the Congress was significant in foreshadowing the time when American industry would make a conquest of the markets of the world.

The pacific relations with a South American neighbor were disturbed by revolutionary movements in Chile. When the United States minister to that country offered an asylum to the defeated authorities, the revolutionists retaliated by an attack upon American sailors in the streets of Valparaiso. Failing to receive the expected apology, President Harrison (January 25, 1892), in a message to Congress, suggested war. The receipt of acceptable apologies in the nick of time averted hostilities.

More important, perhaps, than any of these incidents was the trouble with Germany. At this time there was at the helm of German affairs a statesman no less able and ambitious than the American secretary of state. Prince von Bismarck, the German chancellor, had brought Germany through an arduous but highly successful period of internal development, and was cherishing an unbounded desire to increase the influence of the young empire in international affairs. Moreover, his country was already feeling strongly the impulse to acquire large colonial possessions. Accordingly, she had joined with the United States and Great Britain in a kind of protectorate over the Samoan islands. Bismarck now decided that it would be well to exclude the British and Americans from Samoa and exercise undivided authority there; so he took possession of the leading town of the islands in the name of the German emperor and prepared to defend it against all comers. The Americans accepted the challenge by dispatching a number of warships to the islands and war seemed almost inevitable. Fortunately, it was averted through the conciliatory agency of a Pacific typhoon which greatly damaged both fleets, and led to a conference at Berlin in which Germany recognized the neutrality of the islands, and the rights of both Great Britain and the United States as protectors. The incident had effected for

620. The
Samoan
islands

another what Bismarck had wished for Germany; America had entered with success the field of international politics.

621. Presidential election, 1892

In the meantime, the presidential election was approaching again. Blaine had occupied the center of the political stage, and his name was once more mentioned for the presidency. He wavered in his own mind and lost the nomination to President Harrison. The Democrats for the third time nominated Grover Cleveland in spite of a strong reactionary element led by David B. Hill of New York and a free-silver contingent which feared the ex-president's attitude toward the currency question. Each party recognized the practical importance of the silver industry, and equivocally pronounced in favor of the maintenance of both gold and silver as money and on a parity. The leading issue, however, was the tariff, and on this question Cleveland had a record that appealed to the people. He won a sweeping victory, receiving 277 electoral votes to 145 for Harrison, and leading in the popular vote by approximately 400,000. Moreover, for the first time since Buchanan, the Democrats gained control of both the House and the Senate, and apparently might hope to enact into law a series of genuinely Democratic measures. But the election had other features of significance besides a Democratic triumph. The increasing economic and social discontent of the West and South was now represented in a national People's Party, commonly known as Populists, which promulgated a platform demanding the free and unlimited coinage of silver, government ownership of railroads, telegraph and telephone lines, the direct election of United States senators, a graduated income tax, and many other measures of a distinctly reformatory character. They nominated James B. Weaver of Iowa for president and polled 22 votes in the electoral college, a result that should have acted as a bugle call to progressive legislation; how well it was heeded will appear in the pages that follow. The popular vote of this "Third Party" had exceeded 1,000,000.

SUMMARY

When the Republican party returned to power March 4, 1889, it was under the domination of political bosses in both the legislative and executive branches of the government. President Harrison, a good man, was old and lacked the power of party leadership. Blaine, Sherman, and Reed practically controlled the Republican party and hence the government. Large sums of money were voted to pensioners who were, or might become, good party followers. The navy was greatly enlarged at enormous cost, and official extravagance again became notorious. To prevent a treasury deficit where there had been a surplus; and to give further aid to manufacturing interests, the McKinley Tariff Act raised the import duties on a number of articles, and, as the Democrats have charged, sent the cost of living still higher. Since the North was reaping so great benefit from favorable tariff legislation, the West began to feel that its rapidly growing silver interests ought likewise to receive the protection of the national government. Already the government was purchasing silver to the amount of \$2,000,000 a month, but it was necessary from a Republican standpoint to keep the West in line politically, so the Sherman Silver Act was passed, which committed the government to the purchase of 4,500,000 ounces of silver monthly and to the issue of certificates equal in amount to the silver purchased.

A Congressional election in 1890 overthrew the Republican majority in the House and thereby put a check to partisan legislation. The public mind then centered upon our foreign relations — particularly with Great Britain, the South American states, and Germany. As results, national influence was heightened, and the attention of American capital was again directed to the possibilities of commerce with distant islands and with other continents.

Harrison was renominated by the Republicans in 1892 and Cleveland again carried the standard for the Democrats. The leading issue was the tariff, and the Democrats won control of both the executive and the legislative branches of the government. In the meantime, the "Populists" or People's Party had entered the field of national politics. This party demanded free silver, government ownership of public utilities, an income tax, and other reforms of a sweeping character.

REVIEW QUESTIONS

1. Contrast the policy of the Republicans in 1890 and that of Cleveland in 1885.
2. Why was Harrison elected over Cleveland in 1888?
3. Why was Cleveland elected over Harrison in 1892?
4. What were the arguments used by the Republicans in support of the McKinley tariff? By the Democrats against it?
5. Did the silver states of the West have as good reason to ask for national protection as

did the manufacturing states of New England? Discuss. 6. Was the Sherman Silver Purchase Act a measure of statesmanship, or of politics? Discuss. 7. Did the Act succeed in holding the West in line for the Republicans? 8. Account for the rise of the People's Party in 1892. 9. Have any of the measures which that party advocated found their way to platforms of other parties? Have any of them been enacted into federal law? 10. Would government ownership of public utilities lend any strength to the cause of centralization? 11. Is it true that the tendency to centralize power increases with the advancement of civilization? 12. Is it true that government is administered more and more in the interests of the people as people become more intelligent? 13. How do you account for the growth of the pension roll as we get further away from the Civil War? 14. Was the United States right or wrong in its contention about the seal fisheries? 15. What effect did the Samoan trouble have upon the national influence? 16. In what interest was government being administered in those days? 17. What was the average American thinking about in those days? 18. When he went to vote, what interest was uppermost in his mind?

CHAPTER XXIX

A NEW CRISIS

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ECONOMIC AND SOCIAL TROUBLES

When the Democrats took into their hands the reins of government on March 4, 1893, the country was in a situation that has no parallel in American history. The tariff question had been prominent in the campaign, the Democrats having stood for a downward revision of the schedules. Great industrial corporations, either through fear or through purposeful self-interest, shut down their mills, turned thousands out of employment, and brought business stagnation upon the whole country. The gradually rising tariff rates of the former administration had greatly increased the cost of living, and caused distress and suffering to labor, which was compelled to pay higher prices without enjoying a corresponding increase in wages. Yet the prices of farm produce had somehow declined, and there was a storm of discontent in the West and South. Thousands of the common people grew desperate in their desire for relief, and the feeling against capital was angry. Men of all occupations were uneasy, suspicious, and fearful of the future. In the life of the nation there had come a new crisis, an economic crisis, which threatened social disorder if not social revolution. The great deep was again broken up, not in regard to slavery, or state

622. Panic
of 1893

rights, or the law, or the Constitution, but upon the right of every American citizen to enjoy the fruits of his own labor and be secure against the greed of the barons of industry. The new administration had come into power in a period of disturbance, of riot, of strikes, of political heresies and economic innovations. It was well for the ship of state that a strong and fearless pilot stood at the helm. The folly and extravagance of those who had gone before Cleveland had left an empty treasury. Political truckling to the silver interests had destroyed the gold reserve which was thought to be necessary for the redemption of treasury notes and silver certificates, and had driven gold into hiding, because silver was so cheap that men wanted to pay their debts with it, while they held the gold as a simple matter of precaution. Under the Sherman Act the paper currency had reached the extravagant sum of \$500,000,000 and the government could get no gold with which to redeem it. Customs duties were being paid, for the most part, in silver, while large amounts of gold were attracted to the Old World to discharge unfavorable trade balances which business nervousness had created. Yet if the government should refuse to pay in gold, the law-made parity of gold and silver would be destroyed, property values wrecked, and credit ruined. It was Scylla on one side and Charybdis on the other. What should be done? The president was not a man to waver or falter in a crisis. He adopted two clear-cut policies and followed them consistently to the end.

623. Cleve-
land's poli-
cies

In the first place, the Sherman Silver Purchase Act should be repealed and as a consequence the accumulation of silver certificates would be checked. Thus there would be a limit to the demands that might be made upon the treasury for gold, so far, at least, as those who held treasury notes and silver certificates were concerned. Accordingly, a special session of Congress was called for the summer of 1893 for the purpose of considering financial matters. Before Congress could assemble, the price of silver slumped heavily and many mines in the West were closed, throwing thousands of workers out of employment

and adding largely to the discontented classes in the cities. Silver conventions were held in protest against anti-silver legislation, and the silver men in Congress made a determined stand. Their fight was useless so far as the House was concerned, for leaders there felt the necessity of supporting the administration. In the Senate, however, the strong silver contingent prevented action until far into the autumn. The final passage of a repeal measure contributed its share to the restoration of business confidence and normal conditions of industry.

The other measure which the administration carried through did not require Congressional action. Its object was the increase of the gold supply in the national treasury. To accomplish this end, United States bonds, purchasable with gold only, were issued to the sum of \$100,000,000. But the buyers of these bonds presented their paper currency at the treasury and asked for gold with which to buy the bonds. Such management amounted to forcing the government to float its own bonds with its own gold, and, therefore, commensurately nullified the government's purpose. The president then turned for relief to the financiers of the country. He arranged with a few New York bankers to furnish the treasury with gold in return for United States four per cent bonds. This plan worked more successfully than the general issue of bonds, and public confidence was further restored. Naturally enough, however, it rendered Cleveland very unpopular, for the people were nervously suspicious of any negotiation between the government and the financiers. The silver question remained a disturbing issue before the country until after the next presidential election and left an impress upon the Democratic party very difficult to efface.

Certainly the financial crisis of the treasury did not invite a revision of the tariff, the issue upon which the Democrats had been elected. The party could not maintain its self-respect, however, and ask the country again for its suffrages if it neglected or refused to carry out its promises. Accordingly, William L. Wilson of West Virginia, chairman of the Ways and

624. The
Wilson Tar-
iff bill

Means Committee, brought before the House a genuine tariff reform measure. It placed sugar, iron ore, wool, lumber, and other raw materials upon the free list, and greatly reduced the tariff on such manufactured articles as woolens, glass, cottons, and silks. The bill, after passing the House by a vote of nearly two to one, went to the Senate, and, as had happened in the case of the currency bill, this body offered stubborn resistance. Special interests like the steel, sugar, woolen, and lumber industries protested strongly against the destruction of their business. It was the old argument of protection again. The bill was so amended in the Senate that it almost deserved the title of the second "tariff of abominations." It left the general average of tariff rates no lower than it had been under a Republican administration; so the Democrats, too, had betrayed a sacred trust. President Cleveland was heartily ashamed of his party in Congress and refused to sign the measure, though he did allow it to become law. The people were now more convinced than ever of the power of money in the upper branch of Congress, and the Populists could use one more argument for the direct election of United States senators. It was now evident, too, that the Democrats would, almost certainly, suffer defeat in the approaching national campaign.

625. An income tax found unconstitutional

To counteract the loss of revenue which the Wilson bill was expected to entail, a provision had been inserted levying a tax of two per cent on incomes above \$4000. Such a tax had been levied during the Civil War and had been regularly collected for several years thereafter. This part of the tariff bill, therefore, was passed by both Houses and became law. It was soon put to test, however, before the Supreme Court, which decided that, since it was a direct tax and such taxes were to be apportioned, under the Constitution, among the states in proportion to population, it was unconstitutional. This decision of the Court seemed to the people to indicate that the judiciary, like the Senate, was in league with capital, since much of the wealth of the country thus escaped formal taxation while the necessities of every poor man's household paid the toll of a "robber tariff."

Privilege seemed intrenched in the capitol, and with power great enough to defeat all effort to dislodge it.

ECONOMIC PROBLEMS

Dismayed by the political and financial conditions, enterprise for a time almost ceased. Great numbers of people in the cities, threatened with starvation, joined here and there in angry, riotous mobs, while society stepped as though on needles. Farmers throughout the country were foreclosed by their creditors and all but gave up the fight in despair. Many good men lost confidence in the old political parties and gathered to the standard of the Populists.

A peculiar instance of the general unrest of the time, and an occurrence with which even millions of the American people had more or less sympathy, was the gathering in Ohio of an army of malcontents under the leadership of "General" Jacob Coxey. This ragged "Army of the Commonwealth of Christ" marched upon Washington with the avowed purpose of demanding that the government give employment to the idle and issue \$500,000,000 worth of greenbacks with which to pay them. On reaching the capitol Coxey was arrested for trespassing, or "walking on the grass," and his army of three hundred disbanded without accomplishing any good thing. Other spasmodic movements agitated the country from one end to the other, and added to the social and industrial chaos in all quarters.

Another convulsion of the period, and one which brought upon the president a round of hostile criticism, was a strike among the employees of the Pullman Car company in Chicago. Presumably the company was suffering from the general disorder of the time, though there was little external evidence that such was the case. At any rate, it saw fit to discharge some of its workmen and reduce the wages of others. Upon refusal of the management to listen to the remonstrance of the employees a general strike ensued. When it was proposed, through the American Railway Union (a Pullman labor organization with

626. A general distress

627. Coxey's army

628. The Pullman strike

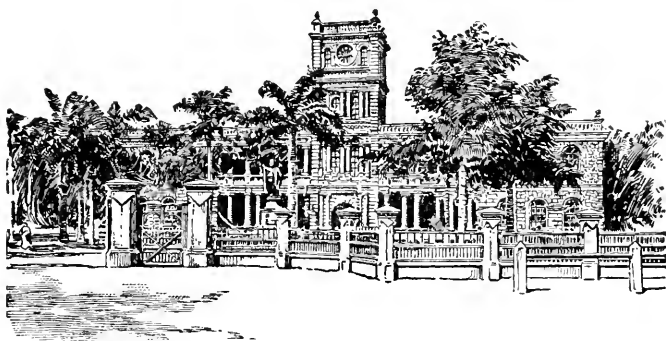
Eugene V. Debs at the head), to submit the matter to arbitration, the company again refused to yield and the union attempted by violence to prevent the movement of Pullman cars. This obstructed the United States mail on twenty-one railroads leading from Chicago into the whole western country. The governor of Illinois made no effort to relieve the situation, so President Cleveland dispatched troops to Chicago to protect federal interests. A federal court issued an injunction restraining the strikers from interference with the mail, but the mob would not be restrained until it was fired upon by the soldiers. Private and public property alike had seemed doomed to destruction, but when the strikers realized that the president meant business the trouble soon passed over. To the Westerners the president's action seemed an assumption of power, while to the laboring class it meant alliance between the executive and the capitalistic element.

FOREIGN COMPLICATIONS

629. The Hawaiian episode

Throughout his dealing with these economic and social problems, the president had manifested a strength of will interpreted by his opponents as obstinacy, which they modified into stubbornness when they saw his dealing with the Hawaiian question. This, like the domestic problems of the time, arose out of a rapidly expanding industrial interest. American capital had early found profitable investment in the far-away islands of the Pacific. In the Hawaiian group, many Americans now lived as citizens of the kingdom. Owning much property there, they had entered into the political life of the state and had come into practical control of the island. Early in 1893 Queen Liliuokalani determined to exclude the foreigners from political control by the promulgation of a new constitution. The Americans got together in an attempt to defeat her plan, and with the assistance of the United States minister landed artillery from a United States battleship and set up a temporary government of their own. Within a month President Harrison sent a message to the Senate recommend-

ing the annexation of Hawaii to the United States and submitting a treaty to that end. The American residents had meanwhile assumed the authority to declare a protectorate over the islands. Just at this juncture Cleveland became president. He withdrew the treaty from before the Senate, sent a commission to Hawaii to investigate the situation, strongly condemned the action of the United States minister, lowered the American flag from the public buildings, and proposed to restore the queen to her throne on condition that all Americans



SENATE AND LEGISLATIVE BUILDINGS, HONOLULU, HAWAII

should be pardoned for participation in the affair. The queen refused to grant the condition, and there the matter rested until the succeeding administration, when the islands were annexed to the United States (July, 1898).¹ Cleveland had simply followed the traditional policy of the nation with respect to distant regions, but expanding industry was carrying the flag to the remotest parts of the earth.

Another incident in the administration's foreign policy, and happiest in its result so far as the president was concerned, was distinctly preparatory to an enlarged American activity in all the affairs of the world. It grew out of the application of the Monroe Doctrine (346) to the settlement of a

630. The Monroe Doctrine applied against Great Britain in the Venezuela case

¹ Since April, 1900, the islands have been a regularly organized territory of the United States.

boundary dispute between Great Britain and Venezuela. The issue was an old one, involving some twenty-three thousand square miles of mineral lands along the western boundary of British Guiana. Venezuela had made repeated complaints to the United States concerning Great Britain's encroachments; successive administrations had sought to effect a peaceful settlement of the affair; and Great Britain had as often rejected all suggestions of compromise, though in such a diplomatic way as to preclude immediate friction. When it seemed that all reasonable means of pacific adjustment had been exhausted, President Cleveland sent to Congress (December 17, 1895) a message setting forth in fresh and vigorous form the policy of the United States with reference to the activities of European nations in the Western Hemisphere, and recommending an investigation of the facts in the Venezuela case. Congress received the message with enthusiasm and voted money for a commission to carry out the president's suggestion. Public opinion rallied heartily to the administration's support and possibly helped Lord Salisbury, the British premier and foreign secretary, to agree to arbitration. It should be further said that the prime minister had not represented the views of Englishmen generally, as was shown by more than three hundred members of Parliament who petitioned the president and Congress for an agreement by which all disputes between the two nations should thereafter be settled by arbitration. Commissioners met at Paris in 1899, fixed a boundary line, and thus settled a matter of long-standing importance. The idea of arbitration had received a wonderful stimulus, and negotiations had been begun which were to go far toward the abolition of international warfare. Since this Venezuela episode, sentiment for the establishment of universal peace has grown very rapidly, not only in the United States and Great Britain, but all over the civilized world. Moreover, the United States had demonstrated her purpose to maintain the Monroe Doctrine in all its fullness and had increased her prestige among the European powers. Whatever interests American citizens might

hereafter acquire in any part of the world would be respected by sister nations.

THE SILVER CAMPAIGN OF 1896

While the president and his able secretary of state, Mr. Olney, were thus finding happy solutions to intricate problems of foreign affairs, the economic and social forces were making another and final attempt to reinvigorate the currency question. Election year had rolled around again and brought political upheavals in great variety. Cleveland, by law of custom, was ineligible as a further candidate. Clearly, also, he was very unpopular and had lost the leadership of his party. He was hated by the agricultural West and South because of his currency measures and an imputed alliance with the money interests. The manufacturers of the East and North disliked him because he attempted genuine tariff reform. The laboring classes fought him because of his use of the federal power in suppression of labor disorders. Under such circumstances he was not even in a position to counsel his party. Indeed, the party itself scarcely knew its own mind, for its chief strength lay in the West and South where political heresies were rifest. Perhaps a great majority of the party felt that there was something radically wrong. Government must be wrested from the classes, the bankers, and railroad magnates of the East. The small operator must be given an equal chance with the trust. The farm was not getting its fair share of the profits of industry. Money was too scarce on account of the government's gold standard and the industries of the country could only be set free by a more elastic currency. It was not a bad diagnosis. The difficulty lay in finding a remedy. The agricultural and mining interests believed it could be found in a reform of the currency. They believed that the United States had reached such a standing in independence and power in the industrial and political world that she need not ask the coöperation of any people in the solution of what they considered a domestic question. Let the United States declare her economic independence by the adop-

631. The Democrats divided on the silver question

tion of a system of free coinage of both gold and silver, the metals to be valued at the ratio of sixteen ounces of silver to one of gold. We are a free and powerful nation, dependent upon the policy of no other government, economically, politically, or financially. Besides, they argued, when the United States pronounces a certain silver coin a full dollar in value, the European nations will be economically and financially compelled to join with the United States, and the result will be free silver all over the world and a consequent unmeasurable benefit to America, where the metal is so largely produced. The appeal was thrilling and went home to men everywhere, regardless of party, while the Democrats, strong in the South and West, were naturally disposed toward silver. When the national convention of the Democrats met at Chicago in the summer of 1896 the silver men were in control. They denounced the Cleveland democracy, and in unequivocal terms declared for free coinage "without waiting for the aid or consent of any other nation."

632. Bryan
of Nebras-
ka; Mc-
Kinley of
Ohio

In the choice of a candidate for the presidency, as in the adoption of a platform, the convention showed an unmistakable impatience with all forms of conservatism. Richard P. Bland of Missouri was looked upon as the logical nominee of the silver men, and in fact he led in the first balloting. The issue of the ballots, however, was determined by a dramatic speech of William Jennings Bryan of Nebraska. When he brought to a close his burst of eloquence with the defiant note, "Thou shalt not press down the crown of thorns upon the brow of labor nor crucify man upon a cross of gold," the convention hall was a scene of wild enthusiasm and tumult. He was nominated for the presidency and the Democratic party was committed, both by its platform and its candidate, to the cause of free silver as a means to the liberation of the people from the thralldom of privilege.

The issue was made. The Republicans had met three weeks earlier and had fought out the same question, but with different results. The gold-standard element had won and then, as if to placate the silver faction within its party, they nominated

William McKinley of Ohio, a man whose convictions on the currency question were not thoroughly pronounced. He had been conspicuous as the author of the McKinley Tariff Act, had had long and successful experience in Congress, enjoyed the confidence of men of all parties in a remarkable degree, and was well prepared in every way to become the party's leader.

The campaign was unique, spectacular, and very significant. The Democratic candidate made the most remarkable canvass of the nation ever yet attempted. Such a continuous storm of

633. Election of McKinley

oratory and tide of rhetoric had never before thundered from the platform or surged from the press. The campaign is graphically depicted by Woodrow Wilson as follows: "Such excitement, such a stirring of the moral and intellectual forces of the country, on the one side as if to regenerate society, on the other as if to save it from disruption, had never before marked a political campaign. The election even of 1860 had been pre-



WILLIAM MCKINLEY

ceded by no such fever of agitation. The Democrats and their allies had the dramatic advantage. Their candidate made a gallant figure wherever he moved, and went up and down the country, as no presidential candidate before him had ever done, to give the people his own striking version of the doctrines he preached. To the excited crowds which pressed about him he seemed a knight errant going about to redress the wrongs of a nation. There could be no mistaking his earnestness or his conviction or the deep power of the motives to which he appealed. His gifts were those of a practised orator, his qualities those of a genuine man of the people. . . It was in the last analysis a contest between the radical and the conservative forces of the

country, and the conservative forces won." McKinley received a plurality of 600,000 popular votes with the electoral college 271 to 176 in his favor.

634. Sig-
nificance of
the cam-
paign

The campaign was significant in several ways. The Democratic party had fallen upon evil days. After the Chicago convention, the "sound money" Democrats held a convention and nominated John M. Palmer for president. They polled only a small vote, but enough to show a division in the Democratic party. The beginning of the end had come to the People's Party, or Populists, who fused with the Democrats in support of Bryan and free silver and nominated Tom Watson of Georgia for vice-president. The National Silver Party, a branch of the Republicans, also accepted the Bryan leadership, but as soon as the silver issue died they fell away from their adopted party. The capitalistic element supported the Republicans and the triumph of this party was distinctly the triumph of "big business." "Obviously the business world, the whole world of industry, was in process of revolution. America, in particular, had come to the crisis and turning point of her development. Until now she had been struggling to release and organize her resources, to win her true economic place in the world. Hitherto she had always been a debtor nation, her instruments of industry making and to be made, her means of transportation, the vast systems of steel highways which were to connect her fields and factories with the markets of the world, as yet only in course of construction. The country had at last built up its railway and manufacturing systems, had at last got ready to come out of its debts, command foreign markets with something more than its food-stuffs, and make for itself a place of mastery. . . In March, 1897, a great consolidation of iron mining properties, foundries, steel mills, railroads, and steamship lines was effected which brought the country's chief supplies of iron, its chief means of transporting steel products to the markets of the continent and of the world under a single organization and management, and reduced the cost of steel to a figure which put American steel

factories beyond fear of competition. Steel had become the structural stuff of the modern world. Commanding its manufacture, America might command the economic fortunes of the world." (Woodrow Wilson.)

SUMMARY

Capital opposed the election of Cleveland in 1892 because of his attitude toward the tariff and because in his former administration he had shown an unmistakable disposition to administer the government first of all in the interests of the people. Already the country was on the verge of grave economic disorders because of the Silver Purchase Act and the demands of growing industries. The capitalists, taking advantage of the conditions, slightly "tightened" the supply of gold, which was already becoming scarce, and brought on the "hardest" times the country had seen in many a day. Designing politicians in league with protected industry ascribed the new crisis to the danger from tariff revision. Silver had continued to decline in value despite the Congressional effort to bolster it up, and gold, therefore, became scarcer, even in the national treasury. To secure gold with which to take care of the flood of silver certificates which were daily being presented for redemption, gold bonds were issued. This measure failed to bring the expected relief, and the president called for help upon Eastern capitalists, who furnished a supply of gold, and accepted United States four per cent bonds therefor. In the meantime, after long delay by the Senate, the Sherman Silver Purchase Act was repealed with the expectation that its repeal would effectually reduce the demand upon the treasury for gold by reducing the issuance of silver certificates. Before these relief measures could be made effective, however, popular opinion had already saddled upon the administration responsibility for the "hard times." Nevertheless the party in power attempted to redeem its campaign pledges by the reduction of the tariff, but again protected interests so amended the Wilson bill as practically to defeat its purpose. The general disorder of the period was illustrated in the "Coxey's army" movement and in various riots and strikes, chief of which was the Pullman Company's employees' strike. When United States mails were obstructed by the strikers, President Cleveland suppressed the riots with national troops.

The new industrial system not only gave rise to perplexing domestic problems, but also involved the government in a number of foreign difficulties. American investors in Hawaii practically dethroned the queen of the islands, and looked forward to annexation by the United States. President Cleveland believed that such an act would violate well-established national policy toward foreign powers, and cancelled a practical protectorate over the islands. The trouble arising between Great Britain and Venezuela

prepared the way for the extension of commerce with the South American states. The climax of the period was reached in the presidential election of 1896. Expanding business felt itself restrained by an inelastic monetary system. The silver interests of the West attributed the depression, and especially the decline of their chief product, to the repeal of the Sherman Silver Purchase Act. They saw their relief in the doctrine of free silver at the ratio of 16 to 1 and succeeded in inducing the Democratic party, the "Silver Republicans," and the "Populists" to incorporate the doctrine into their platforms. All of these parties endorsed William J. Bryan for president. Opposed to this doctrine was that of the single, or gold, standard, supported by the regular Republicans under the leadership of William McKinley, and the gold standard Democrats under John M. Palmer. After the most thorough campaign in the national history, McKinley was elected.

REVIEW QUESTIONS

1. What was the peculiar situation of the country in 1893? Give two reasons for it.
2. What were President Cleveland's plans for relief? Did they work out?
3. Did the issuance of United States bonds contribute in any way to the "hard times" of Cleveland's second administration? Did the tariff revision so contribute?
4. What kind of tariff measure was the Wilson bill as passed by the House? Why did it not pass the Senate in the same form?
5. Compare the history of the Wilson bill with that of the Underwood measure of 1913.
6. Can you see in the defence of a protective tariff a principle similar to that involved in the South's defence of slavery? What vital difference can you see?
7. What good reason can be offered for telling the story of "General" Coxey in connection with a protective tariff discussion?
8. How did the suppression of the labor riot in Chicago affect the outlook of the Democratic party in regard to the next election?
9. Name two serious problems which this riot brought to the surface again.
10. Show how the Hawaiian incident was a result of expanding industry.
11. How did the Venezuela case affect national influence abroad? How was the Monroe Doctrine involved in it?
12. What became of the income tax law of 1895? Has such a measure been before the country since that time?
13. What vital issue did both of the great political conventions have to face in 1896? Which side did each take?
14. How did the campaign of 1896 differ from previous campaigns?
15. Could the "Populist" party be considered a natural result of the new age of business? Discuss.
16. Why were the West and the South in such a state of political upheaval during the decade ending in 1900?

CHAPTER XXX

THE SPANISH-AMERICAN WAR

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CONDITIONS IN CUBA

Through geographical position Cuba, in time of war, would threaten the control of the Mississippi river and the Panama canal. On account of its proximity to the American continent, and its similarity of climate and soil to the southern parts of the United States, its political, social, and commercial affairs had long been matters of importance to American citizens. Many had become financially interested in the cotton, sugar, rice, tobacco, and other products and industries of the island; and after the United States obtained possession of the Gulf coast frequent offers had been made by the United States to purchase the island from Spain. As early as 1809 Jefferson had written the president, Mr. Madison, that he believed that Napoleon, at that moment dominating Spain, might be induced to part with Cuba, and that he, Jefferson, would like to see the island come into the possession of the United States. Later President Polk offered Spain one hundred million dollars for Cuba, but Spain persistently refused to consider the proposal. The Ostend Manifesto (431) declared that Cuba ought to belong to the United States and if Spain would not sell it, the United States would be justified in seizing it. After 1849 occasional filibustering expeditions, assisting the native insurrectionists, attempted the seizure of the island from Spain. The filibusters were financed and directed by "juntas" composed of Cubans naturalized in America, or the United States, and by

635. The great interest of the United States in Cuba

Americans financially interested in Cuba. President Cleveland issued a message warning all persons that the American government would not support or countenance one unfriendly act toward the Spanish government; and at the same time he urged Spain to change her policies in reference to Cuba. In President Harrison's administration, Secretary of State Blaine urged that Cuba be allowed to purchase its freedom, the United States to guarantee the payment of the price. President McKinley pointed out to the government of Spain the deplorable conditions existing on the island.

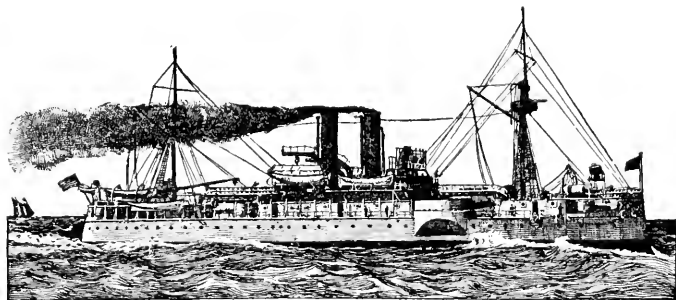
636. Spain's
oppressive
rule; 1493-
1898

In 1808, when Napoleon forced the abdication of the Spanish monarch, the Cubans declared their allegiance to their dethroned sovereign, and contributed men and money to the national defence, but they were forgotten by Spain when peace was restored. In 1830 the island was put under a governor general, responsible only to Spain. The whole machinery of the government was run in the interests of the officers, and every office of emolument was held by a Spaniard; yet the natives outnumbered the Spaniards five to one. The deplorable condition of the people of the island at the close of the nineteenth century was in great part due to oppressive and official misrule and corruption. Larger and larger revenues were demanded and the burdens of the suffering people became still heavier. Before the war for independence, the estimated "revenues and disbursements amounted to about \$25,000,000 per year, of which the Spanish officials in the island took \$4,000,000, the army \$6,000,000, interest on the old Spanish national debt \$10,000,000, pensions \$2,200,000, treasury administration \$708,000, judiciary \$995,000, and so on, all the money being absorbed by the Spaniards except \$725,000 for internal improvements, harbors, etc. Not a cent was spent for primary education. Then there was always an annual deficit of from eight to ten million dollars to be made up by the issuance of Cuban bonds." Attempts to improve conditions gave the government more completely into the hands of the Spaniards, for the poll tax of twenty-five dollars eliminated the native element from

all elections. The last proposed reform was a Council of Administration which was to have fifteen members appointed by the king and fifteen elected by Cuba. Of this election the Spanish officials had control and the governor general was to be president, with power to remove any member of the council at his discretion.

From 1868, the beginning of the Ten Years' war, to the outbreak of the Spanish-American war, Cuba had not been free from insurrection. In 1895 a more closely-organized revolt followed under Gomez and Maceo. General Weyler, who, during the Ten Years' war, had earned the name of "The Butcher," was brought from the Philippines to subdue the Cubans. He ordered the crops to be destroyed and the people, together with all domestic animals from the country, to be concentrated in camps in or near the large towns and cities. Thousands of people died from hunger, exposure and fever. The prisons were filled with suspects, many of whom were Americans.

637. The insurrections



U. S. BATTLESHIP "MAINE"

On the night of February 15, 1898, the United States battleship *Maine*, which had been sent to Havana harbor to protect the interests of Americans, was destroyed and two hundred and fifty of her crew were killed. Investigation showed that a submarine mine had caused the explosion.¹

638. Destruction of the U. S. battleship "Maine"

¹ Experts again declared in 1912, after the ship was raised to the top of the water, that an outside explosion caused an explosion of the magazines.

Humanity, love of liberty, and self-interest would doubtless have caused the United States to intervene in the course of events, but the tragedy of the *Maine* hastened action. Weyler had been previously recalled, and other forms of relief were promised, but it was too late.

639. President McKinley's message in regard to Cuba

Again, President McKinley appealed to the Spanish government in behalf of the Cubans, and received the reply that they would be "granted all the liberty they could expect." Congress ordered a more thorough investigation of conditions in Cuba than had yet been made. After the report of the commission had been received, President McKinley sent a special message to Congress, April 11, 1898. Without committing himself to the insurgent cause he calmly reviewed the situation, and added, "In view of these facts and considerations, I ask Congress to authorize and empower the president to take measures to secure a final termination of hostilities between the government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government capable of maintaining order and observing its internal obligations, insuring peace and tranquillity and the security of its citizens, as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes."

THE PHILIPPINES

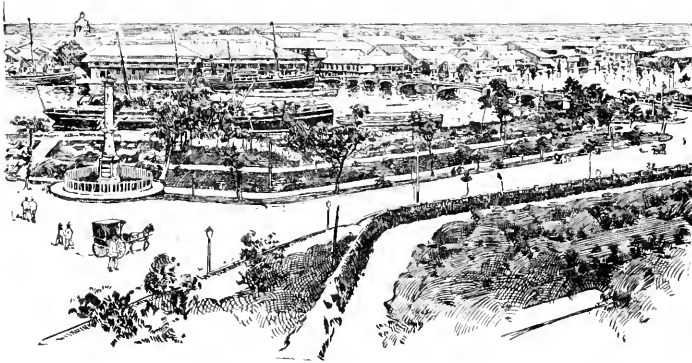
640. Resolutions of Congress; war

On April 19 Congress passed a joint resolution: (1) declaring that Cuba ought to be free and independent; (2) demanding the withdrawal of Spain from the island; (3) empowering the president to use sufficient force to carry out these resolutions; (4) it further declared that it was not the intention of the United States to exercise sovereignty or control or to encourage annexation, but instead, when independence was established, to leave the government to the people of the island. The Spanish minister at Washington was notified and was given his passports. The resolutions were also wired to the American minister at Madrid, but he had already been notified by the Spanish government that diplomatic relations were severed. These

resolutions were tantamount to a declaration of war; volunteers were called out, and in a few weeks regiments from every section of the country were training in camps, while the regular army was being mobilized at Chickamauga and Tampa to be ready for transportation to Cuba, and a blockade of Cuban ports was ordered.

Commodore Dewey, who was at Hong Kong, was instructed to "find and destroy" the Spanish Asiatic fleet. The American squadron entered Manila bay Saturday night, April 30. With

641. Naval battle of Manila bay, May 1, 1898: Manila occupied, August 13



MANILA AND THE PASIG RIVER

Showing the Magellan monument and the stone bridge connecting the walled city with Binondo

all lights out and each gun manned, half the fleet had passed the fortifications before the ships were discovered. The guns from the forts then opened fire, while frequently an immense volume of water shot into the air showing where a submarine mine had been exploded. The Spanish fleet was sighted under the guns of Cavite, one of the forts that guard the bay and the city of Manila. The American ships passed "line ahead" to the attack. As they neared Cavite a shell exploded directly over the flagship; at once rose the cry of "Remember the *Maine*" from the entire crew. Dewey gave orders to return the fire, and in a few hours of battle the Spaniards had lost their entire fleet, while the Americans had received no serious damage

to a ship. Not a man had been killed and only eight slightly wounded. The Spaniards fought bravely; they did not lack guns, ammunition, or modern equipment, but the inefficiency of Spain's corrupt government was such that her gunners had not been properly trained.

On the next day the American fleet established a blockade of Manila and occupied Cavite. The naval victory could not be followed up by the occupation of the city for lack of a sufficient force to hold the place. Land forces had to be sent from America. Three months later General Merritt arrived with ten thousand troops, and the city was taken August 13, the next day after the signing of the protocol, or preliminary peace treaty.

THE WEST INDIES

642. Sampson and Schley in the West Indies; Cervera blocked in Santiago; Hobson and the "Merri-mac"

Admiral Sampson was sent to the West Indies, while Commodore Schley, in charge of the flying squadron, was left at Hampton Roads to protect the American coast. As a further protection, mines were laid in every harbor along the coast from Maine to the Rio Grande.



WILLIAM T. SAMPSON

Soon after hostilities began, a Spanish fleet under Admiral Cervera was reported to have sailed from St. Vincent for America. Great excitement prevailed in the cities on the Atlantic coast, for no one knew the destination of the Spanish fleet. Escaping the vigilance of Sampson, Cervera's fleet entered Santiago harbor, May 19. Positive knowledge of

its presence there was given by Lieutenant Blue, who passed the Spanish lines and saw the fleet at anchor in the harbor. Sampson, reënforced by Schley, closed the port, and Cervera was shut in. Just prior to this the American fleet had been joined by the battleship *Oregon* that had been ordered from San Francisco, making a journey of fourteen thousand miles in sixty-six days.

The entrance to Santiago harbor is a narrow strait between two precipitous mountains. Lieutenant Hobson conceived the idea of blocking the harbor by sinking the coalship, *Merrimac*, across the channel. At three o'clock one morning Hobson with six men ran the ship under the guns of the Morro castle, and entered the narrow channel, but before reaching the desired position they were fired upon by a picket boat, their rudder was shot away, and the ship became unmanageable. The explosives were fired to sink the ship; and the crew scrambled to a raft where they remained until daylight, when they were picked up by the gallant Cervera, who sent word to Sampson that they were safe. They were kindly treated and later were exchanged.

An army of sixteen thousand men under General Shafter was at once sent to Cuba to attack Santiago in the rear and to coöperate with the fleet. Before the city was captured, Cervera, acting under orders from his home government, tried to get out to sea by running the gantlet of the American fleet. On July 3, while the American crew were at quarters and Sampson had gone in his flagship to consult with General Shafter, the Spanish flagship was sighted coming out of the harbor, followed by the rest of the fleet. Commodore Schley started in pursuit. In three-quarters of an hour of a running fight it was clear that the Spanish fleet would be compelled to surrender. One ship had already been beached and half the others were on fire. Admiral Cervera's flagship, the last of the fleet, burst into flames and was run aground. Officers and crew surrendered. Spain had lost two fleets and over a thousand men in little over two months. On the American side one man had been killed and one wounded, while ten thousand dollars covered the damage to the ships.

643. Schley
destroys
Cervera's
fleet, July 3

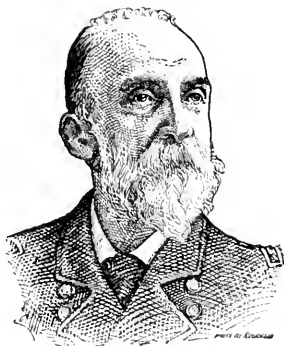


WINFIELD SCOTT SCHLEY

The deadly fire of the Americans showed the training of the men behind the guns, as it had done at Manila.

Admiral Sampson joined the squadron just as the last Spanish ship was destroyed, and Schley at once reported to him the result of the conflict. After the war there was a bitter controversy over the action of Schley in this battle and during the blockade. He demanded a Court of Inquiry to investigate his conduct and on several counts he was acquitted, but was condemned on others. He appealed to the president for vindication and received assurance that the findings of the Court were final; but he was vindicated by the American people, and to them he is the hero of the naval battle before Santiago.

644. Land attacks; surrender of Santiago, July 17; surrender of Porto Rico



JOSEPH WHEELER

Santiago harbor is six miles long and is surrounded by precipitous mountains that rise straight from the water. At its head, between two mountain ranges, lies the walled city of Santiago, guarded by the fortified positions of Aguadores, San Juan, and El Caney. The American plan was a joint attack by the army and navy on these three towns. General Lawton was to take El Caney, General Wheeler's cavalry was given the difficult task of taking San Juan, while General Duffield was to act in direct conjunction with the fleet in the capture of Aguadores. In these movements the Americans were to be supported by the Cuban soldiers, but on account of their lack of military training, they were a negligible factor during the entire war. The Spanish soldiers contested every inch of the ground, but in July the heights above the city had been carried. El Caney and San Juan had been taken after heavy losses in desperate charges; and when Cervera made his dash for liberty, General Shafter and Admiral Sampson were in consultation on the feasibility of inaction until reënforcements could be brought

from the United States. But the destruction of the Spanish fleet on July 3 left Spain's cause hopeless, and a few days later General Toral, in command at Santiago, surrendered "the city and province of Santiago de Cuba into the authority of the United States (July 17)." The Cuban soldiers were to be treated as prisoners of war by the American general.

The protocol that was signed on August 12 stopped the operations of General Miles in Porto Rico, and the governor at once surrendered the island.

THE UNITED STATES A WORLD POWER

The American soldiers had performed well their duty in every situation — in camp, along the march through the jungles under a tropical sun, in the charge, and in the trenches. But the inefficiency of the war department is a dark blot upon the picture. Secretary of War Alger's administration was investigated by a commission appointed by the president and, although he was exonerated, the fact remains that lack of proper equipment, suitable clothing, pure food, and sanitation in the camps, caused more deaths than occurred on the field of battle, or from wounds received.

645. A scandal in the War Department

The peace commissioners met at Paris, December 10, 1898. Since the city of Manila was not captured till the day after the protocol was signed, Spain charged that the United States had broken the terms of agreement. There was much discussion among the commissioners before an agreement was reached, but the final terms did not change the terms of the protocol. Spain should relinquish all claim to Cuba and cede Porto Rico and three small islands, and Guam of the Ladrones, to the United States, and in consideration of twenty million dollars, grant all right and title to the Philippines.

646. The treaty of peace

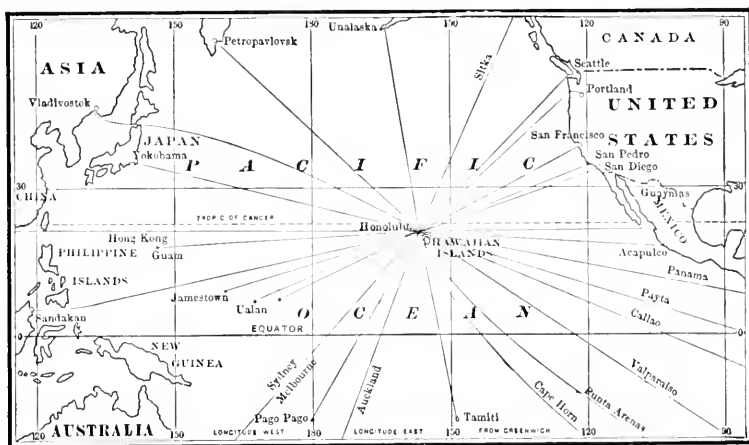
A successful revolution was terminated in Hawaii and the new government applied to the United States for annexation. On account of the importance of the island as a coaling station and naval base, as well as the large interests which Americans had acquired there, Congress by joint resolution declared in

647. Hawaii annexed — 1898

favor of annexation, and Hawaii became an American dependency.

648. Aguinaldo; war in the Philippines

There had been continued restiveness in the Philippines under Spanish military government. The islands had been in revolt before war was declared, but Aguinaldo, the native leader, had been bought off by Spain, and had left the country. Dewey, however, picked him up at Hong Kong, and brought him back to Manila; and his Filipino army coöperated with the American



"THE CROSSROADS OF THE PACIFIC"

troops in the assault against Manila. When peace was declared he believed the island would be granted independence. Disappointed in this hope, he set up a government and made war on the American forces. His army was soon broken up into little bands, and guerilla warfare was carried on for more than two years. After the capture of Aguinaldo, in March, 1901, he issued a manifesto urging submission to American authority. The last insurgent leader surrendered in April, 1902.

649. Imperialism; a state government

There was much dissatisfaction over the conduct of the war in the Philippines. Many of the political leaders in America opposed the acquisition of any territory that could not become

an integral part of the Union. Moreover, they contended that the United States violated the spirit of the Constitution when it undertook to govern a people "without the consent of the governed." One of the main issues of McKinley's second campaign for the presidency was that of "Imperialism." His large popular vote revealed the attitude of the people toward that policy. In March Congress conferred upon the president "all the military, civil, and judicial powers necessary to govern the Philippine Islands." The army was greatly increased and Judge William H. Taft was sent over to be civil governor (July 4, 1901). He was assisted by four commissioners appointed by the president, who were placed in charge of commerce, public works, justice, finance, and education. Three Filipinos were soon added to this commission. Four years later a Philippine National Assembly was elected, which was to act in the capacity of a lower house to the commission. The professed policy of the administration was to grant the Filipino independence as soon as "he is fit for it," but when that shall be is a question for the future to answer. The United States has spent vast sums in the islands on internal improvements, building bridges and roads, improving rivers and harbors, and fostering commerce and agriculture. The friars owned 400,000 acres of land that was purchased for \$7,200,000 and sold to the natives on easy payments. A modern system of education has been organized, and hundreds of teachers have been sent over to take charge of the schools.

established
for the Phil-
ippines;
the tariff

After Spain withdrew from Cuba a military governor was appointed by the president. His main work in the island was to improve sanitary conditions (for which purpose ten million dollars has been expended), establish schools, and aid in internal improvements. The next year, 1902, a constitution, patterned after that of the United States, was adopted. Four clauses demanded by Congress were incorporated into the document: (1) No foreign power would be allowed to control the island, plant colonies, or interfere with its independence. (2) No debt must be incurred that could not be easily taken care of by

revenue. (3) Cuba must sell or lease to the United States certain coaling stations. (4) If necessary to maintain a stable government at any time, the United States might intervene to protect life and property.

The high tariff wall which Congress built around the newly acquired islands retarded their commercial growth for some



SAN JUAN HARBOR

View from Casa Bianca, Ponce de Leon's house

years. Recently free trade has been granted on all products except rice, sugar, and tobacco, and since then their exports have greatly increased.

650 Porto
Rico's gov-
ernment

In 1900 Porto Rico's government was vested in a governor and council of eleven, five of them Porto Ricans, all of them appointed by the President. There is also a legislature of thirty-five members elected by the people, but the Council holds the veto power over them. There are a million native inhabitants, consisting of mixed Spanish, Indian, and negro blood.

It now seems probable that Porto Rico will never enjoy the privilege of statehood.

SUMMARY

Spain's treatment of Cuba became intolerable to the American people, for reasons of sentiment as well as interest. American capital had found investment in mines and agriculture on the island and cried aloud for protection by the United States; but Spain acted as though she felt that how she treated her own province should give no concern to a foreign power, and she showed resentment when offers were made for the purchase of Cuba. The disaster to the *Maine* precipitated war. Dewey's fleet destroyed the Spanish fleet at Manila Bay. Sampson and Schley destroyed the Spanish fleet at Santiago de Cuba. The land forces under Shafter attacked the intrenchments of Santiago, and the Spanish army was surrendered. Manila was occupied. The treaty of peace gave the United States possessions in the Atlantic and in the Pacific. The governments of Cuba, Porto Rico and the Philippines were reorganized. Cuba became independent.

REVIEW QUESTIONS

1. Discuss the moral quality of America's attempted intervention between Spain and her colony. 2. What was the Ostend Manifesto? Why did Spain refuse to part with Cuba? Why did she treat the island harshly? 3. Discuss three possible causes of the destruction of the *Maine*. 4. What right had Spain to sell the Philippine Islands? What right had the United States to buy them? 5. What right had Aguinaldo to make war on the Americans in the Philippines? 6. Discuss: The Filipinos will never be capable of self-government until they practice it. 7. Why are the words Filipino and Philippines spelled so differently? 8. Cleveland refused to annex Hawaii: the Congress under McKinley annexed Hawaii. Discuss.

CHAPTER XXXI

THE NEW DEMOCRACY

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SOURCES. — Political Party Platforms; The Constitution and Reports of the various social, industrial, economic, and political organizations of the last decade; Congressional Records; Reports of the various Departments of the United States Government, etc.

ROOSEVELT AND CONSERVATION

**651. Death
of Presi-
dent Mc-
Kinley**

The Pan-American Exposition was held at Buffalo, in the summer and autumn of 1901, for the purpose of "joining the three Americas in a unified attempt to show one another their trade resources." Like other expositions it was attended by millions of people and, also like others, it was a powerful educative factor, particularly along industrial lines. But it was the business man's show, and from it the business man derived most profit. President McKinley spoke at the exposition in furtherance of the continued good-will among the American republics and the maintenance of friendly trade relations, and he gave expression to the needs and interests of American industry no less than to his own pacific nature and his desire for universal peace.

It was his last public address. On September 6th, the day following his speech before the exposition, President McKinley was shot by a half-crazed assassin named Czolgosz. For eight days he lingered between life and death. On the morning of September 14 he died, and in the afternoon Vice-President Theodore Roosevelt took the oath of office as president of the United States, and the strenuous Rough Rider became the star performer on our national stage for many a day.

Theodore Roosevelt was born of Dutch paternal ancestry in the city of New York, October 26, 1858. Graduating at Harvard at 21 years of age, he soon entered the politics of New York, and was elected to the legislature in 1883. He was a member of the Republican National Convention of 1884, where he fought side by side with the Mugwumps to defeat the nomination of James G. Blaine for the presidency. On account of failing health he next sought the western plains of North Dakota, and there spent two years in "punching" cattle and writing books. In 1889 he was appointed by President Harrison to a place on the Civil Service Commission, where he made a reputation as an advocate of the "merit system" in appointments to public offices. In 1897 he became assistant

secretary of the navy, but resigned the next year to serve as lieutenant colonel of cavalry in the operations in Cuba. Returning from Santiago as the hero of the Rough Riders, he was elected governor of New York in 1898. In this capacity he was too active for the politicians of his state, who thought they were ridding themselves of danger from him by forcing upon him in 1900 the nomination for the vice-presidency.

President Roosevelt announced that he would pursue the policies outlined by his lamented predecessor, and he retained the McKinley cabinet.

The student will remember that although the Jeffersonian Democracy stood for a government in which the people are to participate freely, it also preached that "that government is best which governs least." That the new democracy believes even more strongly than the old in the capacity of the people



THEODORE ROOSEVELT

652. The new president — 1901

653. The new democracy; direct election of senators; the income tax

the United States would sustain a population greater than that of our whole country to-day if the waters that now run to waste were saved and used for irrigation." On June 17, 1902, Congress passed the Reclamation Act—a measure which had for its purpose the irrigation of arid lands in the West by the use of funds derived from the sale of public lands in Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North and South Dakota, Oklahoma, Utah, Washington, and Wyoming. Under this act the Department of the



The black portions indicate the Western reserves; the shaded sections show the Appalachian and White Mountain reserves

Interior undertook immediately the work of reclaiming the desert. The work has been enlarged from time to time and to-day many thousands of acres of formerly unproductive land are pouring their treasures of fruit, vegetables, and grains into the lap of the nation.

In December, 1904, President Roosevelt again urged upon Congress the importance of forest conservation. In the following February Congress placed the entire forest service under the Department of Agriculture. In 1907 by a proclamation of the president, 17,000,000 acres of forest lands were added to the National Forest Reserves which had been previously set

**655. The
National
Forest Re-
serves**

aside. In 1909 these lands totaled the enormous sum of 194,505,325 acres, most of which vast area was under governmental control. This, however, is less than twenty per cent of the total forest area in the United States. In immediate charge of this timber land is the National Forest Service, employing, in 1910, 3636 persons, and expending more than \$4,000,000. In addition to preserving the forests, efforts are being made to extend them, to find new uses for the various timbers, and to utilize odd lengths of lumber. A very general public interest in forestry has been aroused, and numerous local and national organizations have held important meetings with a view of promoting conservation in every legitimate way.

**656. The
inland
waterways**

Springing from the same idea is a plan to develop and utilize more perfectly the inland waterways. In March, 1907, President Roosevelt appointed "The Inland Waterways Commission," which immediately began the study of a "Lakes-to-the-Gulf Deep Waterway." Interest in all the problems of waterways continued throughout 1908, and in 1909 the National Rivers and Harbors Congress in annual session at Washington urged upon the Congress of the United States the necessity of an appropriation of \$50,000,000 for river and harbor improvements. In 1910 the Mississippi River Commission expended more than two and a quarter millions of dollars on the development of internal waterways. Since this time the public has been forced to take a broad view of the interests involved and the possibilities of national development of the streams. The floods of March, 1913, have been no small factor in convincing the public that the navigable rivers need not only to be improved, but that the interests of the whole country can be materially served by protecting the fertile valleys from excessive and destructive overflows.

THE PANAMA CANAL

**657. Early
interest in
an isth-
mian canal**

The great industrial and commercial expansion of the United States following the Civil War emphasized the necessity of a transportation route in the region of the isthmus. In 1878 a

French company, under the leadership of the engineer who had constructed the Suez canal, Ferdinand de Lesseps, obtained from Colombia permission to dig a canal across the Isthmus of Panama. President Hayes, in a message to Congress, pointed out the advantages of an inter-oceanic canal, and the next year James G. Blaine, secretary of state, seeking closer trade relations with the states of South America, called the attention of the country to the interest of the United States in the Panama canal. At the same time he endeavored to abrogate the Clayton-Bulwer treaty (415). In 1884 a New York company was organized for the purpose of constructing a canal across Nicaragua. The French company, after spending \$260,000,000, failed in 1888, but retained its property in the isthmus and the right to complete the canal.

In the Spanish-American War it became desirable to send the battleship *Oregon* from San Francisco to support the Atlantic fleet in the West Indies — a distance of nearly fifteen thousand miles. The acquisition of the Philippines and part of the West Indies further emphasized the necessity in time of war for a trans-isthmian route. Another reason had been added to the commercial one; and the whole country had been made keenly aware of the imperative need for shortening the distance between the Atlantic and Pacific oceans.

The initial step taken by the United States government in the work was the appointment by Congress (1899) of a special commission to investigate the comparative merits of the Panama and the Nicaragua routes. This body reported (1901) in favor of Nicaragua. About the same time Secretary of State John Hay induced Great Britain to renounce the Clayton-Bulwer treaty, and to agree that the United States should have the right to construct and control an isthmian canal. This agreement is called the Hay-Pauncefote treaty. Its preamble states a purpose "to facilitate the construction of a ship-canal to connect the Atlantic and Pacific oceans, by whatever route may be considered expedient, and to that end to remove any objection which may arise out of the convention of the 19th of April,

658. The
"Oregon"

659. The
Hay-
Pauncefote
Treaty

1850, commonly called the Clayton-Bulwer treaty, to the construction of such canal under the auspices of the government of the United States, without impairing the general principle of neutralization established in Article VIII of that convention." In June, 1901, Congress, after some sharp debating, expressed its preference for the Panama route, provided the president could get control of the necessary zone "within a reasonable time and upon reasonable terms;" if not, then the president was to proceed with the construction of a Nicaragua canal.

**660. The
Hay-Bu-
nau-Varilla
Treaty**

The French Panama company was now offering its property and rights in Panama for the sum of \$40,000,000. President Roosevelt, under authority from Congress, accepted the offer and proceeded to negotiate what is commonly known as the Hay-Herran treaty (August, 1903), which would give to the United States the right to construct the canal in return for \$10,000,000 in cash and \$250,000 a year as rental for a land strip ten miles wide across Panama. Colombia, a confederation of which the state of Panama was a member, rejected this treaty, and in a few weeks a revolution was started on the isthmus which resulted in the establishment of the republic of Panama. Whatever may have been the cause of the secession of Panama, it was supported by the presence of United States marines instructed to prevent the landing of military forces in the state. The revolution occurred on November 3; three days later the United States government officially recognized the independence of Panama; and on November 18, a treaty was entered into between the new republic and the United States,¹ Panama having sent Senor Bunau-Varilla to Washington to conduct negotiations for the completion of the canal. By the Hay-Bunau-Varilla treaty, November 18, 1903, Panama accepted substantially the terms of the Hay-Herran agreement, with the important exception that the canal zone ten miles wide became the exclusive property of the United States.

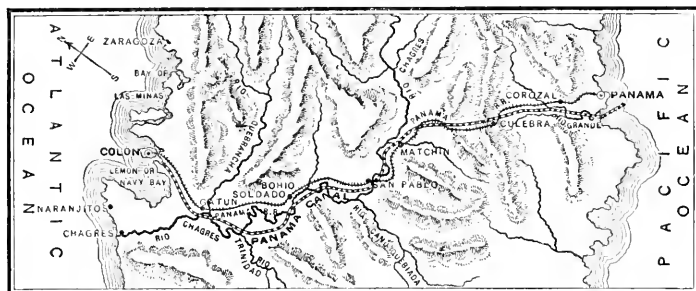
**661. Signi-
ficance of
the canal**

In May, 1904, actual construction was begun; and the work has progressed so well that Chief Engineer Goethals expects to

¹ Colombia has never ceased to lay upon President Roosevelt and the American people the responsibility for the secession of Panama.

complete it in 1914. Preparations are being made to celebrate the great event in a Panama exposition at San Francisco in the summer of 1915.

The completion of the canal is significant for the student of history. Among the great achievements of mankind, it has already had a marked effect in stimulating interest in engineering science. New projects are undertaken; the Erie canal is being greatly improved; even an additional isthmian route through Nicaragua has been suggested.



THE ROUTE OF THE PANAMA CANAL

The most noticeable immediate effect of the canal will be the change in the quantity and direction of international trade. The distances from New York and London to all the markets on the western coasts of America, and also to the islands of the Pacific, will be greatly reduced. A distance as great as the width of the Atlantic ocean will be saved between New York and Yokohama, while the broad Pacific will scarcely equal the reduction in the distance by water from New York to San Francisco. An air line from Portland, Maine, to Brownsville, Texas, is only half as long as the distance the canal will save between Galveston and San Francisco. The saving in time and money will be in proportion. The effect upon international trade cannot even be imagined; and for American industry and commerce only the eye of a prophet can foresee the future. Certainly Southern ports and Southern cities will have a

marvelous growth; industries at the South must inevitably be strongly organized and more varied; while with increased material development will surely come a whole train of social and economic problems hitherto unknown to the Southern people. Proximity to the South American states and a resultant increased business in them will inevitably bring new international problems that may revolutionize existing relations and put the Monroe Doctrine to a new test.

THE PROBLEM OF THE CORPORATIONS

662. The
rise of dan-
gerous
power

The great corporate industries had forced a new problem upon the government and people of the United States. Infants that had been protected had become giants; and the question now concerned the preservation of the republic, which, no less than a monarchy, must refuse to tolerate within itself the existence of insubordinate power. The truism that large capital, rightfully employed, is advantageous to producer and consumer gave complacency, and the second election of McKinley (1900) gave endorsement to "big business," which prepared to make the most of the circumstances. Already in the last two years of McKinley's first administration nearly two hundred new trusts had been formed with a combined capital of \$4,000,000,000 — "an amount of money equal to one-twentieth of the total wealth of the United States, and four times the combined capital of all the corporations organized between the Civil War and Cleveland's second administration."¹ The great combinations had maintained in power a party which had enabled them through tariff laws to enter the markets of the world and compete successfully with foreign enterprise. The nation's export business had suddenly doubled, trebled, and quadrupled, and had gained for us a favorable trade balance. The farm and mine products had broken all previous records, population had increased rapidly, prices were good, and prosperity abounded. There was a great opportunity for corporate greed — "a time when America had set about her task of making commercial vassals

¹ Muzzey, *American History*, p. 591.

of the Old World countries," even if it took the life blood of the American people to do it.

In his first message to Congress, President Roosevelt reviewed the conditions which had given rise to the agitation concerning corporations and trusts, and especially pointed out "over capitalization" as an evil to be corrected. In the following summer he declared that "the State not only has the right to control monopolies, but that it is the State's duty to control them." His next message to Congress (1903), asserted that "no more important subject can come before the Congress than this of the regulation of interstate business. This country cannot afford to sit supine on the plea that under our peculiar systems of government we are helpless in the presence of the new conditions, and unable to grapple with them or to cut out whatever of evil has arisen in connection with them." The president went on to urge upon Congress its constitutional authority to deal with this problem, and recommended as an initial step — "knowledge of facts — publicity."

In all of these utterances the president simply voiced a strong current of public opinion and Congress responded with the passage of a law creating the Department of Commerce and Labor, "including the Bureau of Corporations, with for the first time authority to secure proper publicity of such proceedings of these great corporations as the public has the right to know. It [Congress] has provided for the expediting of suits for the enforcement of the federal anti-trust law; and by another law it has secured equal treatment to all producers in the transportation of their goods, thus taking a long stride forward in making effective the work of the Interstate Commerce Commission."¹

While these vigorous messages from the president, and this new kind of legislation by Congress were seeking to regulate corporate industry, the combinations of capital and brains were growing in numbers and in power, and were devising new means of exploitation. That "eternal vigilance is the price of liberty"

663. Roosevelt on monopolies; Department of Commerce and Labor

664. Utica speech of Secretary Root — 1906

¹ President's Message to Congress, December 7, 1903.

was no less true now than in the days of Patrick Henry. From time to time, therefore, statesmen called the attention of the country to the dangers from corporate power and from time to time Congress sought to cope with the evil by new laws. The following extract from a speech at Utica, New York (November, 1906), indicates the scope of governmental action to that time: "The act creating the bureau of corporations, the act expediting the trial of trust cases, the anti-rebate act, the act for the regulation of railroad rates, have made possible redress which was impossible before. Under the direction of two successive attorney generals of the first order of ability, sincerity, and devotion, in hundreds of courts, incessant warfare has been waged and is being waged under the federal laws against corporate wrongdoers. The Northern Securities company . . . has been forced to dissolve by the judgment of the Supreme Court of the United States. The methods of the Beef Trust in combining to suppress competition in the purchase of livestock and the sale of meat have been tried and condemned, and the trust has been placed under injunction to abandon these practices by the judgment of the Supreme Court. The combination of paper manufacturers in the territory from Chicago to the Rocky mountains has been dissolved by the judgment of the Supreme Court, and the combination has been abandoned, and the price of white paper in that territory has gone down thirty per cent. The Retail Grocers' association in this country has been dissolved by a decree of the court. The elevator combination in the West has been dissolved in like manner. The salt combination west of the Rocky mountains has been dissolved by decree of the court. The Wholesale Grocers' association in the South, the meat combination and the lumber combination in the West, the combination of railroads entering the city of St. Louis to suppress competition between the bridges and ferries reaching that city; the Drug Trust, which suppresses competition all over the country, are being vigorously pressed in suits brought by the federal government for their dissolution. The salt combination has been indicted, convicted, and

fined for failing to obey the judgment of dissolution. The Beef Trust has been indicted for failing to obey the injunction against them, and have been saved so far only by a decision that they had secured temporary immunity by giving evidence against themselves." Secretary of State Root goes on to enumerate the actions against the Tobacco Trust, the Fertilizer Trust, and the Ice Trust.

Perhaps the most famous anti-trust suit was that against the Standard Oil company. In May, 1906, Commissioner of Corporations James R. Garfield reported to Congress:

665. The
Standard
Oil Com-
pany

(1) For about ten years the New England territory has been in control of the Standard Oil company by reason of the refusal of the New York, New Haven and Hartford road, and of the Boston and Maine road, on all but a few divisions, to pro-rate, *i.e.*, to join in through rates — on oil shipped from west of the Hudson river, and by means of the adjustment of published rates. . .

(2) The Standard Oil company has been able absolutely to control for many years the sale of oil in the northeastern part of New York and in a portion of Vermont by means of secret rates from its refineries at Olean and Rochester. . .

(3) The Standard Oil company has maintained absolute control of almost the whole section of the country south of the Ohio river and east of the Mississippi, by means of secret rates and open discriminations in rates from Whiting, Indiana. . .

(4) The Standard Oil company has for at least ten years shipped oil from Whiting to East St. Louis, Illinois, at a rate of six or six and one-fourth cents on three of the five railroads running between those places, while the only duly published rate on all roads has been eighteen cents during all that period. This discrimination saved the Standard about \$240,000 in 1904. . .

(5) In the Kansas territory field there were some unfair open rates. . .

(6) In California direct rebates, as well as discriminations by the use of secret rates, have been given on oil.

As a result of this report and the recommendations of the president a large number of indictments were returned against the Standard Oil company and its various subsidiary organizations in the several states. In Indiana the company was convicted (April 14, 1907) on 1462 counts, and was fined the sum of \$20,000 on each, or \$29,240,000. The penalty, when it is considered that the admitted net profits of this concern during the years 1903, 1904, and 1905, were \$81,336,994, \$61,570,110, and \$57,459,356, respectively, does not seem so enormous, for the capital stock was only \$1,000,000. But this did not end the suit. It went on a writ of error to the United States Court of Appeals, which declared (July, 1908) that since the capital stock of the Standard Oil company of Indiana was "principally owned by the New Jersey corporation, a corporation not before the court," and since a court cannot, "without abuse of judicial discretion, condemn any one who has not had his day in court," . . . "the judgment of the District Court is reversed and the case remanded with instructions to grant a new trial." In March, 1909, the Judge of the District Court directed the jury to find the Standard Oil company not guilty, and the case was closed. Other suits against the company were prosecuted with less vigor, some dismissed, and very few were successful.

In the meantime, however, the United States Circuit Court at St. Louis, had declared (April, 1909) the Standard Oil company an illegal corporation under the terms of the Sherman Anti-Trust Law, and had ordered its dissolution. An appeal was taken from this decree to the Supreme Court, and a hearing was given on the following March 14. After a long argument before this court, postponement of the decision was made on account of the death of Justice Brewer, the illness of Justice Moody, and the lack of opportunity of Justice Lurton, who had just been appointed, to become well acquainted with the case. On May 15, 1911, the case was again decided in favor of the government. Recently "the government has been investigating to see if the company obeyed the order for dissolution. Agents for the government have so far made no report."

THE TARIFF

As a part of the story of "big business" in its relation to the national government, the tariff becomes more than ever notorious. It will be remembered that since the first administration of Washington the tariff has been the subject of repeated controversies; that, beginning primarily as a revenue measure, its tendency was gradually upward, for the most part, until the Walker tariff of 1846; that it took on the protective idea more and more as the different business interests found its advantageous features; that the Civil War fastened protection upon the country and made it a glaring feature of the Republican party's policy; that the Democrats endeavored unsuccessfully to make a downward revision in Cleveland's second administration (Wilson-Gorman Bill), and that they have advocated with some degree of earnestness a tariff for revenue only; and that the Republican Dingley Tariff Bill further extended the protective idea by again raising the rates. The Spanish-American war, the interests of "big business," and "imperialism" kept the tariff question in the background in the last few years of the nineteenth century, but there was an undercurrent of sentiment gathering strength all the while which demanded that the tariff schedule be revised downward in the interests of the American people. In President McKinley's last public speech (September, 1901) he said: "Reciprocity is the natural outgrowth of our wonderful industrial development under the domestic policy now firmly established. . . . If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?" In this can be seen at least some faint glimmerings of an idea that was already striving in the minds of even stanch Republicans; but these words from the chief executive had little effect.

The Democrats made tariff revision an issue in the presidential election of 1904, but the popularity of the Rough Rider

666. Protection; McKinley on reciprocity

667. Tariff reform in

both
parties;
Taft favors
reform

president, and the business interests which the Republican party had always protected were too great to be overcome. The public mind was being educated, however, and President Roosevelt himself negotiated certain reciprocity treaties which the Senate refused to ratify. In 1908 the tariff reform sentiment became so strong as to find expression in the platforms of both the leading parties. The Republican platform of that year declares "unequivocally for a revision of the tariff by a special session of Congress, immediately following the inauguration of the next president, and commends the steps already taken to this end, in the work assigned to the appropriate committees of Congress, which are now investigating the operation and effect of existing schedules." The Democrats a few days later declared: "We favor immediate revision of the tariff by the reduction of import duties. Articles entering into competition with trust-controlled products should be placed upon the free list, and material reductions should be made in the tariff upon the necessities of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home, and graduated reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis."

As is easily seen from these declarations much of the substance of the issue between the two parties was removed, and the Republicans, with Taft, won overwhelmingly over the Democrats with Parker. In his inaugural address, President Taft said: "A matter of most pressing importance is the revision of the tariff. In accordance with the promises of the platform upon which I was elected, I shall call Congress into extra session, to meet on the fifteenth day of March, in order that consideration may be at once given to a bill revising the Dingley Act."

When Congress came together the people expected a generous, if careful revision of the tariff. Three days after Congress assembled, the chairman of the Ways and Means Committee, Mr. Payne, introduced into the House a measure which was

668. The
"thieves
and the
hogs";
Congress

substantially the result of the work of the Special Tariff Committee created by the preceding Congress, and which offered a considerable measure of reduction. The protected interests immediately reënforced in every conceivable way their special

increases
protection

lobbies at the national capitol for the purpose of preventing unfavorable legislation. Their activities on this as on other similar occasions attracted a scathing denunciation from Charles Francis Adams, who said of them: "Speaking after the fashion of men, they are either thieves or hogs. I myself belong to the former class. I am a tariff thief, and I have a license to steal. It bears the broad seal of the United States, and is what is known as the 'Dingley Tariff.'



WILLIAM H. TAFT

I stole under it yesterday; I am stealing under it to-day; I propose to steal under it to-morrow. The government has forced me into this position, and I both do and shall take full advantage of it. . . And what are you going to do about it? The other class come under the hog category; that is, they rush, squealing and struggling, to the great Washington protection trough, and with all four feet in it they proceed to gobble the swill. . . To this class I do not belong. I am simply a tariff thief. . . But, on the other hand, I am also a tariff reformer. I would like to see every protective schedule swept out of existence, my own included. Meanwhile, what inducement have I to go to Washington on a public mission of this sort? A mere citizen, I represent no one. . . Meanwhile, have it well understood that my position is exactly the position of tens of thousands of

others scattered throughout the country; to ask us to put aside our business affairs, and at our own expense to go to Washington on a desperate mission is asking a little too much."

These "hogs," however, could not prevent the passage of the bill through the House. But when it reached the Senate it was changed, under the leadership of Mr. Aldrich of Rhode Island, in 847 counts and, in almost every case, increased the "swill." After twelve weeks' debate it passed the Senate and was referred to a free conference committee of the two bodies. Here it was slightly revised downward in a few particulars, though it remained distinctly the most protective of all protective tariffs in our national history. It promptly passed both Houses as it came from the free conference committee, and was signed by President Taft, who confessed, however, that the bill did not fully comply with party promises.

669. Wilson on the failure of Congress

Naturally the country was disappointed and expressed that disappointment in no unmistakable terms. At the close of a severe arraignment of the measure, Woodrow Wilson, at the time president of Princeton University, declared in the *North American Review*, October, 1909, that "nothing more need be said to demonstrate the insincerity, the uncandid, designing, unpatriotic character of the whole process. It was not intended for the public good. It was intended for the benefit of the interests most directly and selfishly concerned." President Taft and others declared it the most satisfactory tariff act which the country had had. But it widened a breach which was already appearing between the progressive and "stand-pat" Republicans, and contributed in large measure to Democratic victory in 1912.

670. Woodrow Wilson elected president

President Taft was a candidate for reelection, and was nominated by the regular convention of his party. Immediately Colonel Roosevelt organized the "Progressive" party, which nominated him for the presidency by acclamation. After a hard battle in their convention, the Democrats chose Woodrow Wilson, governor of New Jersey, as their standard bearer, and he carried the electoral vote by an overwhelming majority.

In the meantime, however, the Taft administration, proceeding under authority conferred by the Payne-Aldrich bill, was continuing to work at the tariff question through a special tariff bureau. This body spent considerable time and money in the study of the question. But nothing more than its report found its way to congressional action until the special session called by President Wilson in April, 1913. Under the Democratic leadership of Oscar W. Underwood of Alabama, a somewhat thorough-going tariff measure has been carried through the House and is before the Senate.

671. Continued work on the tariff — 1913

CURRENCY AND BANKING

Closely articulated, also, with the problem of "big business" is the question of currency and banking. The expanding industry of the country could not continue without affecting the nation's monetary system. This had been abundantly verified in the panic of 1873, in the financial distress of 1893 and 1894, and in the presidential election of 1896. But the period of transition from the nineteenth to the twentieth century was characterized by an unprecedented material development. Everybody seemed to prosper, crops were bountiful, money was plentiful and easy, business confidence pervaded the entire country, and men engaged in projects that had no real ground for existence. The speculative spirit then, combined with an antiquated monetary system, brought on a panic in the autumn of 1907. Business suddenly and surprisingly contracted, banking houses throughout the country failed disastrously, money again became stringent, and the whole country entered upon a

672. Panic of 1907



WOODROW WILSON

period of business strain. This condition again directed the attention of serious minded men to a reform of the currency and banking laws.

673. Cur-
rency plans
of 1908

Accordingly, in 1908, Congress appointed a National Monetary Commission with Senator Nelson Aldrich as chairman. In the autumn of 1909 President Taft, while touring the country, called attention to the need of a Central Bank of Issue, which, as he thought, would automatically regulate the supply and distribution of the currency and thus prevent the recurrence of such crises as that of 1907. This proposal met the approval of many bankers throughout the country and found formal and somewhat more definite expression in the report of the Monetary Commission near the close of 1911. Briefly, this report recommends a National Reserve Association or central bank with certain fiscal relations to the national government, and composed of representatives from smaller but similar district associations. Every bank in a given district is to be associated about a central district agency, which shall also serve as a branch of the National Reserve Association. This proposal has aroused a great deal of popular discussion. The currency and banking questions are looked upon by the Wilson administration as the most pressing national problem next to the tariff.

FOREIGN RELATIONS

674. Eng-
land and the
Panama
Canal

The Clayton-Bulwer Treaty of 1850 provided that:

"The Government of the United States and of Great Britain hereby declare that neither one nor the other will ever obtain or maintain for itself any exclusive control over said [Panama] ship canal."

This treaty was supplanted by the Hay-Pauncefote Treaty of 1901, one provision of which was the following:

"The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire

equality, so that there shall be no discrimination against any such nation or its citizens or subjects in respect to the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable."

On December 9, 1912, Congress passed a bill granting free passage through the canal to all vessels engaged in the coastwise trade of the United States. To this Act Great Britain objected on the ground that tolls for passing through the canal are assessed to pay the expenses of keeping it in repair, and that if the merchant vessels doing the coastwise business of the United States should be allowed to pass through free, the tolls on all other vessels would be higher, in order to meet these expenses, than they would be if all should pay toll alike. To this objection the United States government, expressing itself through Secretary Knox, replied that granting to American vessels free passage through the canal dug by American engineers, with American money, violated no treaty, and was our own affair. However, after considerable discussion, the president, Mr. Taft, expressed a willingness to oblige Great Britain by submitting the matter to arbitration. Great Britain has ceased to press her objection, and Congress has not repealed the Act. (August, 1913.)

In 1832 the United States and Russia entered into a treaty **675. The Russian question** which is now expiring by limitation, of which the following is the first article:

"There shall be, between the territories of the high contracting parties, a reciprocal liberty of commerce and navigation. The inhabitants of their respective states shall mutually have liberty to enter the ports, places, and rivers of the territories of each party wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories in order to attend to their affairs, and they shall enjoy, to that effect, the same security and protection as natives of the country wherein they reside on condition of their submitting to laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce."

On different occasions the passports of American Jews who wished to enter Russia have not been honored, because in honoring those passports American Jews sojourning in Russia would be allowed privileges and liberties which are denied native Russian Jews by the laws of Russia. While perhaps the cases wherein Jews were actually denied the privileges guaranteed by the treaty were few, still the fact of these few denials deterred many other American Jews from attempting to visit Russia. The agitation of the question by leading Hebrew citizens in America prompted the passage through Congress, by a unanimous vote, save one, of the Sulzer resolution, which expresses at least the national political sentiment. The resolution is as follows:

"That the people of the United States assert, as a fundamental principle, that the rights of its citizens shall not be impaired at home or abroad because of race or religion; that the government of the United States concludes its treaties for equal protection of all classes of its citizens without regard to race or religion; that the government of the United States will not be a party to any treaty which discriminates, or which, by one of the parties thereto, is so construed as to discriminate between American citizens on the ground of race or religion; that the government of Russia has violated the treaty of 1832, refusing to honor American passports duly issued to American citizens, on account of race or religion; that, in the judgment of Congress, the said treaty, for reasons aforesaid, ought to be terminated at the earliest time; that for the reasons aforesaid the said treaty is hereby declared to be terminated and of no further force and effect from the expiration of one year after date of notification of the government of Russia of the terms of this resolution, and that to this end, the President is hereby charged with the duty of communicating such notice to the government of Russia."

Both parties now seem willing to agree to the abrogation of the treaty of 1832 and the formation of a new treaty more explicit in its terms and in harmony with the demands of both nations.

676. Japan
and the
California
incident

Early in 1913 the legislature of California, responding to a popular demand, proposed measures providing in substance

that aliens should not own land for speculative purposes, but only in such quantities as might be put to personal use. They provided also that upon the death of those aliens now owning land, the same should be sold; and that rents or leases should not exceed three years. It was evident that the legislation was aimed at the Japanese, and the government of Japan protested against it. President Wilson sent Secretary of State Bryan to California to consult and advise concerning the international problem which the proposed legislation raised. The legislature gave Mr. Bryan respectful attention but passed the measures at the close of his address, and the governor approved with his signature. The California legislature seems to have steered clear of the inhibitions of the treaty with Japan, and its Acts, while embarrassing to the federal government, will stand in the courts. Fortunately American diplomacy was equal to the delicate task, and friendship with Japan remains unaffected.

Almost without interruption from 1877 to 1910, Porfirio Diaz was the president of the Republic of Mexico. In 1910 Francisco I. Madero, Jr., was a candidate against Diaz, and was defeated. Madero, charging frauds in the election, headed a successful revolt against the Diaz government, and Diaz left the country. De La Barra was made provisional president *ad interim*. An election was called in 1911, and Madero was duly and constitutionally elected president. After two years, revolution again broke out; Madero and his vice-president were imprisoned, and were quickly put to death. General Victoriano Huerta became provisional president, and at his assumption of power in the City of Mexico, there broke out another revolution, led by the governors of some northern Mexican states, who called themselves constitutionalists, to emphasize their charge that Huerta's claim to the presidency was unconstitutional.

677. The revolutions in Mexico; the efforts of President Wilson to end the troubles

The proximity of Mexico to the United States gives this country strong grounds of interest in her southern neighbor. Battles fought near the line endanger the lives of Americans.

Citizens of the United States own property in Mexico. On account of the prejudice against Americans existing among the less intelligent Mexicans, the lives and property of American citizens in Mexico were endangered.

President Wilson accepted the resignation of the United States ambassador, who was not in harmony with the views of the administration, and sent to Mexico ex-Governor John Lind of Minnesota as his personal representative. In August, 1913, there were strong hopes that even without armed intervention, America would be able to guide in bringing peace to her sister republic.

SOCIAL AND GOVERNMENTAL MOVEMENTS

**678. The
rise of com-
mission
form of
government**

While the new democracy is successfully combating privilege through the agency of the national government, it is also at work in a variety of movements looking toward the greater freedom of the individual and a fuller participation by him in all those matters that directly affect his welfare. For example, a decided reform is taking place in the government of cities and towns. When men are busy about private affairs they are in danger of becoming neglectful of civic duties. In the recent era of business activity municipal government became the victim of partisan politics. Rings, bosses, and political cliques acquired control of the machinery of local government and manipulated it in disregard of public interest. This condition has come about in part, no doubt, as a result of the organization under a mayor or aldermen chosen usually by political parties that in no wise followed definite policies or principles of local government, but whose issues were mainly national in character. It is not surprising, therefore, that the spoils system found a prominent place in municipal administration and that the people were cheated out of their rightful service. A more or less general consciousness of these evils had begun to be felt at the opening of the twentieth century, but no effective reform had been undertaken until a destructive storm

wrought havoc to the city of Galveston in 1900 and made necessary an effective and economic administration of the city's business. It was seen that if the city was to rise again its government must proceed in accordance with common interests, and that local and selfish interests must be ignored. Accordingly, the old system of organization was done away with, and in the place of aldermen representing the special interests of districts of the city, there was substituted a commission of five which was made responsible for the collective interests of the city. The change proved so effective in Galveston that other cities have adopted the plan with modifications and improvements. The functions of each commissioner have been specialized; some of the cities have adopted the policy of paying their officers for their full time; and some have otherwise given their city government the organization of business corporations. These changes mean better local government in the interests of the people.

What is popularly known as the Initiative, Referendum, and Recall is being resorted to extensively in state governments as well as in cities. The Initiative seeks to confer upon a certain per cent (not the same in all cases) of the people the right to initiate or begin legislation through petition to the legislative power, such petition being mandatory upon that body so far as the question involved is concerned. The Referendum requires that, upon petition by a varying percentage of voters, measures which shall pass the legislature shall also be ratified by the people before becoming valid. The Recall gives to the people the right to recall or dismiss inefficient or unfaithful officials without waiting for a regular election. The friends of these measures believe that in bringing governmental activities more directly under popular control, the people's common aims and interests will be better served. They see in them a simple extension of the principles of democracy. The opponents of these changes see in them a dangerous tampering with representa-

679. The demand of the people for greater participation in the government

tive government, and assert that they have failed to accomplish, where used, the results their friends claim for them. Many of the cities throughout the United States have adopted one or all of these measures, while the states of Oregon, Oklahoma, South Dakota, Michigan, Utah, Missouri, and Montana have also adopted them. In many other states there is a partial use of these measures.

680. The
increasing
dignity of
workers

Discussion has been given to the rise of organized labor in the seventies and eighties (498) and to a number of questions growing out of labor's relation to our economic and political system. These problems have since become more complex, and new ones have arisen that constantly confront both state and national law-making bodies. Some progress, however, has been made in the matter of adjusting differences between labor and capital. In 1902 the American Civic Federation gave encouragement to a national conference between labor leaders and capitalists. Besides bringing together representative men of broad outlook and patriotic purpose, the convention appointed a standing committee whose function should be the amicable adjustment of industrial troubles, and whose work has since been strengthened by the organization for the Foundation for the Promotion of Industrial Peace (1906), by the intervention of the Interstate Commerce Commission, by the National Bureau of Labor, and by sundry other organizations that seek industrial peace. Meantime, by the educative process, greater toleration is being developed on the side of both labor and capital, and it now seems that the traditional good sense of the American people will eventually bring about an entirely satisfactory solution of a most perplexing problem. Strikes and boycotts are becoming less numerous, and less destructive. The law is also taking greater cognizance of the laboring man. Through the passage of liability acts in nearly every state, legislation is seeking to give the workingman better protection against injury, while at the same time labor organizations as well as the larger corporations are attempting to care for workingmen through various methods of old-age, sickness, and

accident insurance. Pensions and profit-sharing are resorted to in a limited way, and shorter hours and better sanitation are doing much to improve the material and intellectual conditions of the laboring classes. If these improvements with a body of more than twenty million of our population signify anything, it is a greater, a more enlightened, and a happier democracy.

Along with other more or less popular reforms is a movement for woman's suffrage. This movement seems to be one of many phases of a more general movement — the constantly widening field of woman's activities. In the last half century women have found employment in factories, have gained admission to hundreds of colleges on equal terms with men, have entered the professions of law, medicine, teaching, and others, in constantly increasing numbers, and have adopted various trades and business pursuits with astonishing facility. The inevitable result of this enlarged participation in the ordinary vocations of men has been the development among women of a keener interest in and a broader sympathy for civil and political problems. State and local governments have responded in many instances to these new conditions by giving to women larger control over their own property and by granting them suffrage in varying degree. In Wyoming, Utah, Colorado, Idaho, Washington, California, Arizona, Kansas, and Oregon, women enjoy equal suffrage with men. Elections have recently been held in Michigan, Ohio, and Wisconsin, but each resulted in a defeat for the suffrage movement. In Massachusetts, New Jersey, New York, and Virginia, efforts have been made to secure the submission of a woman's suffrage amendment to the constitution, but so far these efforts have failed. In thirty-one of the states women now have the right to vote at school elections, and various state and national organizations have declared in favor of woman's suffrage, the new Progressive Party, organized in 1912, making it a platform demand. Its advocates are very aggressive, and feel keenly that they are fighting for the sacred cause of liberty, while

681. The
woman's
suffrage
movement

as a rule the opponents of the measure can see in it only a temporary craze that stands for no vital principle of government, and insist that women are not by nature fitted for the exercise of the suffrage, and that participation in politics would hinder the efficient performance of her duties as a home-maker.

**682. The
"rural life"
movement**

Patriotic men who think in large terms are now laboring effectively in an effort to provide the means whereby rural conditions may satisfy the cravings of the normal man for society and its pleasures. While in office, Mr. Roosevelt, responding to a general public desire, appointed a committee of distinguished Americans, with Prof. L. H. Bailey of Cornell University as chairman, to study rural life and its betterment. Among other helpful suggestions the report of that committee emphasized the use of the rural school house as a "social center" of each community. It should be the meeting place of the debating club, the sewing club, the cooking club, the agriculture club, the book club, the singing club, the athletic club, and the various other clubs and organizations which contribute to the social and intellectual life of the neighborhood. In all this activity the rural library is perhaps the real center. In the meantime, science and government were making large contributions to the social life of the country. The telephone found its way into the home of many prosperous farmers; and the automobile greatly lessened the journey to the city. Furthermore, the postoffice department, with the extension of the rural free delivery service, greatly assisted in relieving the hard conditions formerly common to the people on isolated farms and ranches.

**683. Indus-
trial sub-
jects in the
public
schools**

Recent years have witnessed an intense effort to bring school and home life nearer together by the introduction of the study of rural economics into the schools. Legislators, educators, and patriotic associations throughout the country have united in efforts to make comfortable and beautiful the country school-house and the country home. Manual training and agriculture, as well as household economics and arts, now share the school programs with foreign languages, oratory, music, and painting. Everything that affects the lives of people is now engaging the

attention of the great universities. Agriculture in its multi-form subdivisions, engineering, — down to the digging of a hillside ditch and building a split-log bridge across a brook, — the breeding of cattle and other domestic animals, the running of a country newspaper, and the directing of a country debating club, all are now within the still developing work of state universities and other colleges maintained at the state's expense. This is but a glance at the great effort of the people to improve the quality and quantity of the life of the country.

THE PEACE MOVEMENT

From a feeble beginning in the parlors of David L. Lodge in New York City (1815), organized efforts to promote the cause of universal peace among the nations have increased until nations themselves, through their rulers and representatives, are adding not only dignity but even force to the movement.

684. The first Peace Society — 1815

Resolutions have been passed in the House of Representatives and in the Senate of the United States, in favor of referring international questions to arbitration. Somewhat similar resolutions have also been passed by the legislative bodies in England and in Italy.

The Czar of Russia proposed a conference to meet at the Hague in 1898 — a conference to be composed of representatives of all the civilized countries, and with the purpose of bringing about the disarmament of the nations. This effort finding but small encouragement, the czar made a second effort in which he proposed a conference at the Hague to discuss pending international difficulties. The result was the formation of an international Court of Arbitration.

685. The Hague Conferences

The second Hague conference met in 1907, called by President Roosevelt at the suggestion of the Inter-parliamentary Union. This conference took long steps forward. (1) It provided for perpetuating itself by appointing another meeting in 1915. (2) It established the principle of arbitration, to take the place of the power of war, in the collection of national debts.

(3) It provided a Prize Court for the protection of neutral ships in time of war. (4) It strengthened the Court of Arbitration.

686. The
Wilson-
Bryan pro-
posal —
1913

Mr. Andrew Carnegie, the American philanthropist, has given to the Hague conference a magnificent building and an income. President Wilson, almost immediately after his inauguration, with Secretary of State Bryan, began to move upon the nations in the interest of arbitration; and to the secretary's proposals, the nations have signified their willingness to enter into an agreement refusing to go to war until causes of trouble are investigated by a court, the details of whose creation are yet to be worked out. Evidently the Wilson-Bryan plan will assist in avoiding useless wars, and in bringing in the reign of peace. In 1913 three great peace societies held their meetings in the United States — one in New York, one in St. Louis, and one at Lake Mohonk. All of these conventions urged the nations to prepare for the program of the centennial of the World Peace Movement, the third great Hague conference in 1915.

SUMMARY

At the Buffalo exposition in 1901, President McKinley was assassinated. Theodore Roosevelt succeeded to the presidency, and announced that he would pursue the policies of his predecessor. Roosevelt began at once to press upon Congress the necessity of "conservation of the national resources." In 1902 Congress passed the Reclamation Act, designed to convert arid areas of the West into irrigated agricultural lands; and the Department of the Interior began the work of reclamation. In 1904 Congress placed the forest service under the Department of Agriculture. Vast areas of forest lands were withdrawn from sale, and placed in the National Forest Reserves. In 1907 Roosevelt appointed "The Inland Waterways Commission"; and the movement has made progress in the development of systematic improvement of rivers and harbors. A series of destructive floods in the Ohio and Mississippi valleys in 1913 emphasized the necessity of scientific effort for the protection of life and property. The United States government, by act of Congress, in 1904 began actual work on the Panama Canal, having provided for full right and title to the canal zone through a treaty with Panama, which had become independent of Colombia. The work is still in progress, with outlook for its completion in 1914.

Popular agitation in regard to trusts, combinations, and monopolies, marked the period. Congress created the Department of Commerce and

Labor, including the Bureau of Corporations; passed an act expediting the trial of trust cases, passed an anti-rebate act, and an act for the regulation of railroad rates. Many great combinations were indicted and some of them dissolved. Opposition to a protective tariff was growing. In 1908 even the Republicans declared, in party platform, for a revision of the tariff—and won the election of Taft. The new president called Congress in extra session to consider the tariff revision, and Congress, in its revision, increased the protective rates; yet the bill was signed by President Taft.

In the election for president in 1912, the Republican party split on the tariff and other questions, and the Democrats elected Woodrow Wilson.

REVIEW QUESTIONS

1. What is the great fundamental problem now before the American people? How did it originate?
2. What are trusts?
3. What difficulties are encountered in dealing with them?
4. What is the difference between the Jeffersonian Democracy and present day Democracy?
5. How is the tariff issue related to the trust problem?
6. How is it related to the political doctrine that government is for *all* the people?
7. How is it an evidence that business interests have had a large share in directing our government?
8. Is the Currency and Banking question an evidence of business expansion?
9. Is the Panama Canal the result of an industrial and commercial necessity?
10. Will its competition have any appreciable effect upon business? How?
11. Explain what is meant by conservation, and tell something that has been accomplished for it.
12. Does the policy of Conservation contemplate an enlargement of governmental activities?
13. What is the Peace Movement?
14. What are some of the arguments of the promotion of the peace movement?
15. What are some of the practical difficulties in the way of universal peace?

APPENDIX I

DECLARATION OF INDEPENDENCE

IN CONGRESS, JULY 4, 1776

A Declaration by the Representatives of the United States of America, in Congress Assembled

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, — a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measure.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasions from without and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for the naturalization of foreigners, refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance.

He has kept among us in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitutions and unacknowledged by our laws, giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;

For cutting off our trade with all parts of the world;

For imposing taxes on us without our consent;

For depriving us, in many cases, of the benefits of trial by jury;

For transporting us beyond seas, to be tried for pretended offenses;

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments;

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity; and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, That these united colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may of right do. And, for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

The foregoing Declaration was, by order of Congress, engrossed and signed by the following members:

JOHN HANCOCK

NEW HAMPSHIRE

JOSIAH BARTLETT
WILLIAM WHIPPLE
MATTHEW THORNTON

MASSACHUSETTS BAY

SAMUEL ADAMS
JOHN ADAMS
ROBERT TREAT PAINE
ELBRIDGE GERRY

RHODE ISLAND

STEPHEN HOPKINS
WILLIAM ELLERY

CONNECTICUT

ROGER SHERMAN
SAMUEL HUNTINGTON
WILLIAM WILLIAMS
OLIVER WOLCOTT

NEW YORK

WILLIAM FLOYD
PHILIP LIVINGSTON
FRANCIS LEWIS
LEWIS MORRIS

NEW JERSEY

RICHARD STOCKTON
JOHN WITHERSPOON
FRANCIS HOPKINSON
JOHN HART
ABRAHAM CLARK

PENNSYLVANIA

ROBERT MORRIS
BENJAMIN RUSH
BENJAMIN FRANKLIN
JOHN MORTON
GEORGE CLYMER
JAMES SMITH
GEORGE TAYLOR
JAMES WILSON
GEORGE ROSS

DELAWARE

CÆSAR RODNEY
GEORGE READ
THOMAS M'KEAN

MARYLAND

SAMUEL CHASE
WILLIAM PACA

THOMAS STONE
CHARLES CARROLL, of
Carrollton

VIRGINIA

GEORGE WYTHE
RICHARD HENRY LEE
THOMAS JEFFERSON
BENJAMIN HARRISON
THOMAS NELSON, JR.
FRANCIS LIGHTFOOT LEE
CARTER BRAXTON

NORTH CAROLINA

WILLIAM HOOPER
JOSEPH HEWES
JOHN PENN

SOUTH CAROLINA

EDWARD RUTLEDGE
THOMAS HEYWARD, JR.
THOMAS LYNCH, JR.
ARTHUR MIDDLETON

GEORGIA

BUTTON GWINNETT
LYMAN HALL
GEORGE WALTON

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees, or councils of safety, and to the several commanding officers of the continental troops; that it be proclaimed in each of the United States, at the head of the army.

APPENDIX II

ARTICLES OF CONFEDERATION

Articles of Confederation and Perpetual Union between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

ARTICLE I. — The style of this Confederacy shall be, “The United States of America.”

ART. II. — Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States in Congress assembled.

ART. III. — The said States hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ART. IV. — The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and egress to and from any other State, and shall enjoy therein all the privileges of trade and commerce subject to the same duties, impositions, and restrictions as the inhabitants thereof respectively; provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State to any other State of which the owner is an inhabitant; provided also, that no imposition, duties, or restriction shall be laid by any State on the property of the United States or either of them. If any person guilty of, or charged with, treason, felony, or other high misdemeanour in any State shall flee from justice and be found in any of the United States, he shall, upon demand of the governor or executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offense. Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.

ART. V. — For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the Legislature of each State shall direct, to meet in Congress on the first Monday

in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead for the remainder of the year. No State shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States for which he, or another for his benefit, receives any salary, fees, or emolument of any kind. Each State shall maintain its own delegates in any meeting of the States and while they act as members of the Committee of the States. In determining questions in the United States, in Congress assembled, each State shall have one vote. Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress; and the members of Congress shall be protected in their persons from arrests and imprisonment during the time of their going to and from, and attendance on, Congress, except for treason, felony, or breach of the peace.

ART. VI. — No State, without the consent of the United States, in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any king, prince, or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office, or title of any kind whatever from any king, prince, or foreign state; nor shall the United States, in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the United States, in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties which may interfere with any stipulations in treaties entered into by the United States, in Congress assembled, with any king, prince, or state, in pursuance of any treaties already proposed by Congress to the courts of France and Spain.

No vessel of war shall be kept up in time of peace by any State, except such number only as shall be deemed necessary by the United States, in Congress assembled, for the defence of such State or its trade, nor shall any body of forces be kept up by any State in time of peace, except such number only as, in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such State; but every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use in public stores a due number of field-pieces and tents, and a proper quantity of arms, ammunition, and camp equipage.

No State shall engage in any war without the consent of the United States, in Congress assembled, unless such State be actually invaded by enemies, or

shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay till the United States, in Congress assembled, can be consulted; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States, in Congress assembled, and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States, in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States, in Congress assembled, shall determine otherwise.

ART. VII. — When land forces are raised by any State for the common defence, all officers of or under the rank of Colonel shall be appointed by the Legislature of each State respectively by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

ART. VIII. — All charges of war, and all other expenses that shall be incurred for the common defence, or general welfare, and allowed by the United States, in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States in proportion to the value of all land within each State, granted to, or surveyed for, any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States, in Congress assembled, shall, from time to time, direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the Legislatures of the several States, within the time agreed upon by the United States, in Congress assembled.

ART. IX. — The United States, in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth Article; of sending and receiving ambassadors; entering into treaties and alliances, provided that no treaty of commerce shall be made, whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever; of establishing rules for deciding, in all cases, what captures on land and water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated; of granting letters of marque and reprisal in times of peace; appointing courts for the trial of piracies and felonies committed on the high seas; and establishing courts for receiving and determining finally appeals in all cases of captures; provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States, in Congress assembled, shall also be the last resort on appeal in all disputes and differences now subsisting, or that hereafter may arise

between two or more States concerning boundary jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following: Whenever the legislative or executive authority, or lawful agent of any State in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven nor more than nine names, as Congress shall direct, shall, in the presence of Congress, be drawn out by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination; and if either party shall neglect to attend at the day appointed, without showing reasons which Congress shall judge sufficient, or being present, shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court, to be appointed in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence or judgment, which shall in like manner be final and decisive; the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned; provided, that every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the supreme or superior court of the State where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection, or hope of reward." Provided, also, that no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions, as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined, as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States, in Congress assembled, shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States; fixing the standard of weights and measures throughout the United States; regulating the trade and managing all affairs with the Indians, not members of any of the States; provided that the legislative right of any State, within its own limits, be not infringed or violated; establishing and regulating post-offices from one State to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office; appointing all officers of the land forces in the service of the United States, excepting regimental officers; appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States; making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States, in Congress assembled, shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated "A Committee of the States," and to consist of one delegate from each State, and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction; to appoint one of their number to preside; provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses; to borrow money or emit bills on the credit of the United States, transmitting every half year to the respective States an account of the sums of money so borrowed or emitted; to build and equip a navy; to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State, which requisition shall be binding; and thereupon the Legislature of each State shall appoint the regimental officers, raise the men, and clothe, arm, and equip them in a soldier-like manner, at the expense of the United States; and the officers and men so clothed, armed, and equipped shall march to the place appointed, and within the time agreed on by the United States, in Congress assembled; but if the United States, in Congress assembled, shall, on consideration of circumstances, judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped in the same manner as the quota of such State, unless the Legislature of such State shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, clothe, arm, and equip as many of such extra number as they judge can be safely spared, and the officers and men so clothed, armed, and equipped shall march to the place appointed, and within the time agreed on by the United States, in Congress assembled.

The United States, in Congress assembled, shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the army or navy, unless nine States assent to the same, nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States, in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations as in their judgment require secrecy; and the yeas and nays of the delegates of each State, on any question, shall be entered on the journal when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request, shall be furnished with a transcript of the said journal except such parts as are above excepted, to lay before the Legislatures of the several States.

ART. X. — The Committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States, in Congress assembled, by the consent of nine States, shall, from time to time, think expedient to vest them with; provided that no power be delegated to the said Committee, for the exercise of which, by the Articles of Confederation, the voice of nine States in the Congress of the United States assembled is requisite.

ART. XI. — Canada, acceding to this Confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

ART. XII. — All bills of credit emitted, moneys borrowed, and debts contracted by or under the authority of Congress, before the assembling of the United States, in pursuance of the present Confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the public faith are hereby solemnly pledged.

ART. XIII. — Every State shall abide by the determinations of the United States, in Congress assembled, on all questions which by this Confederation are submitted to them. And the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.

AND WHEREAS it hath pleased the great Governor of the world to incline the hearts of the Legislatures we respectively represent in Congress to approve of, and to authorize us to ratify, the said Articles of Confederation and perpetual Union, know ye, that we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do, by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and perpetual Union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States, in Congress assembled, on all questions which by the said Confederation are submitted to them; and that the Articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual.

In witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the ninth day of July in the year of our Lord one thousand seven hundred and seventy-eight, and in the third year of the independence of America.

[Here follow the signatures of the delegates from New Hampshire, the Massachusetts Bay, the State of Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia. 48 in all.]

APPENDIX III

CONSTITUTION OF THE UNITED STATES OF AMERICA

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I

SECTION I. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

SECT. II. 1. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

SECT. III. 1. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SECT. IV. 1. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECT. V. 1. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one fifth of those present, be entered on the journal.

4. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECT. VI. 1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law and paid out of the treasury of the United States. They shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

SECT. VII. 1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved

by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECT. VIII. The Congress shall have power

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

2. To borrow money on the credit of the United States;

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

6. To provide for the punishment of counterfeiting the securities and current coin of the United States;

7. To establish post offices and post roads;

8. To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

9. To constitute tribunals inferior to the Supreme Court;

10. To define and punish piracies and felonies committed on the high seas and offences against the law of nations;

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

13. To provide and maintain a navy;

14. To make rules for the government and regulation of the land and naval forces;

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

17. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State, in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; — and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or office thereof.

SECT. IX. 1. The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year 1808; but a tax or duty may be imposed on such importation, not exceeding \$10 for each person.

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder or *ex post facto* law shall be passed.

4. No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any State.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another: nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECT. X. 1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

SECTION I. 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four

years, and together with the Vice-President, chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

[The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the President. But in choosing the President the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]

3. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

4. No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

5. In case of the removal of the President from office or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

6. The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

7. Before he enter on the execution of his office, he shall take the following oath or affirmation: — “I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.”

SECT. II. 1. The President shall be commander in chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECT. III. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECT. IV. The President, Vice-President and all civil officers of the United States, shall be removed from office on impeachment for, and on conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III

SECTION I. 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior

courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

SECT. II. 1. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made or which shall be made, under their authority; — to all cases affecting ambassadors, other public ministers and consuls; — to all cases of admiralty jurisdiction; — to controversies to which the United States shall be a party; — to controversies between two or more States; — between a State and citizens of another State; — between citizens of different States; — between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECT. III. 1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV

SECTION I. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECT. II. 1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECT. III. 1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECT. IV. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE V

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments, which, in either case shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several States, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendments which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI

1. All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

2. This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention by the unanimous consent of the States present, the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty-seven and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

[Signed by]

Go WASHINGTON
Presidt and Deputy from Virginia

NEW HAMPSHIRE

JOHN LANGDON
NICHOLAS GILMAN

MASSACHUSETTS

NATHANIEL GORHAM
RUFUS KING

CONNECTICUT

WM. SAML. JOHNSON
ROGER SHERMAN

NEW YORK

ALEXANDER HAMILTON

NEW JERSEY

WIL: LIVINGSTON
DAVID BREARLEY
WM: PATERSON
JONA: DAYTON

PENNSYLVANIA

B FRANKLIN
THOMAS MIFFLIN
ROBT. MORRIS
GEO. CLYMER
THO. FITZ SIMONS
JARED INGERSOLL
JAMES WILSON
GOUV MORRIS

DELAWARE

GEO: READ
GUNNING BEDFORD, JUN.
JOHN DICKINSON
RICHARD BASSETT
JACO: BROOM

MARYLAND

JAMES MCHENRY
DAN OF ST. THOS. JENIFER
DANL CARROLL

VIRGINIA

JOHN BLAIR
JAMES MADISON, JR.

NORTH CAROLINA

WM. BLOUNT
RICHD. DOBBS SPAIGHT
HU WILLIAMSON

SOUTH CAROLINA

J. RUTLEDGE
CHARLES COTESWORTH
PINCKNEY
CHARLES PINCKNEY
PIERCE BUTLER

GEORGIA

WILLIAM FEW
ABR BALDWIN

Attest: WILLIAM JACKSON, *Secretary*

ARTICLES IN ADDITION TO AND AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES, PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION

ARTICLE I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II. A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

ARTICLE III. No soldier shall, in time of peace be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

ARTICLE VII. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX. The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI. The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

ARTICLE XII. The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to

the President of the Senate; — the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; — the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. — The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII. Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV. Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of Electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the

United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two thirds of each house, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

ARTICLE XV. Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE XVII. Section 1. The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

Section 2. When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided that the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

Section 3. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

APPENDIX IV

GROWTH IN TERRITORY AND ORGANIZATION

The Treaty of Paris in 1783 fixed, approximately, the boundary of the United States as follows: The Atlantic Ocean was the eastern boundary as far south as Florida. The definite northern boundary began about where the forty-fifth parallel of north latitude crosses the Connecticut river and ran west to the St. Lawrence river and up that river through Lake Ontario, Lake Erie, Lake Huron, Lake Superior, and to the northwest corner of the Lake-of-the-Woods; thence due south to the Mississippi river, to the thirty-first parallel, or to Spanish Florida; thence east to the Chattahoochee river; thence down that river to the mouth of the Flint river; thence due east to St. Mary's river, and thence along that river to the mouth. The northeastern boundary between Maine and the British possessions was settled by the Webster-Ashburton Treaty in 1842.

ACQUISITION OF TERRITORY

	Name	Treaty	Area in sq. miles	Price; source
1	Louisiana.....	1803	1,032,700	\$15,000,000. France.
2	Florida.....	1819	58,680	\$5,000,000. Spain.
*3	Annexation of Texas.....	1845	371,063	By joint resolution in Congress.
4	Mexican Cession.....	1848	522,568	\$18,250,000. Mexico.
5	Gadsden Purchase.....	1853	45,535	\$10,000,000. Mexico.
6	Alaska Purchase.....	1867	577,390	\$7,200,000. Russia.
7	Hawaii.....	1898	6,740	By treaty — no price.
8	Philippines.....	1899	146,750	\$20,000,000. Spain.
9	Porto Rico.....	1899	3,600	Part of Spanish War treaty.
10	Guam.....	1899	200	Capture and treaty.
11	Tutuila.....	1899	54	Coaling station, treaty.

* Included part of what is now New Mexico.

DATE OF ORGANIZATION AS TERRITORIES, ADMISSION AS STATES, AREA, AND POPULATION
ACCORDING TO 1910 CENSUS

Original 13 States in order of ratification of the Constitution

	Name	Territory	State	Area in sq. miles	Population
1	Delaware.....	....	Dec. 7, 1787	2,050	202,322
2	Pennsylvania.....	....	Dec. 12, 1787	45,215	7,665,111
3	New Jersey.....	....	Dec. 18, 1787	7,815	2,537,167
4	Georgia.....	....	Jan. 2, 1788	59,475	2,609,121
5	Connecticut.....	....	Jan. 9, 1788	4,990	1,114,756
6	Massachusetts.....	....	Feb. 6, 1788	8,315	3,366,416
7	Maryland.....	....	Apr. 28, 1788	12,210	1,295,346
8	South Carolina.....	....	May 23, 1788	30,570	1,515,400
9	New Hampshire.....	....	June 21, 1788	9,305	430,572
10	Virginia.....	....	June 25, 1788	42,450	2,061,612
11	New York.....	....	July 26, 1788	49,170	9,113,614
12	North Carolina.....	....	Nov. 21, 1789	52,250	2,206,287
13	Rhode Island.....	....	May 29, 1790	1,250	542,610
14	Vermont.....	....	Mar. 4, 1791	9,565	355,956
15	Kentucky.....	1790	June 1, 1792	40,100	2,289,905
16	Tennessee.....	1790	June 1, 1796	42,050	2,184,789
17	Ohio.....	1800	Feb. 19, 1803	41,660	4,767,121
18	Louisiana.....	1804	Apr. 8, 1812	48,720	1,656,388
19	Indiana.....	1783	Dec. 11, 1816	36,350	2,700,876
20	Mississippi.....	1783	Dec. 10, 1817	46,810	1,797,114
21	Illinois.....	1809	Dec. 3, 1818	56,650	5,638,591
22	Alabama.....	1802	Dec. 14, 1819	52,250	2,138,093
23	Maine.....	....	Mar. 15, 1820	33,640	742,371
24	Missouri.....	1812	Aug. 10, 1821	69,415	3,293,335
25	Arkansas.....	1819	June 15, 1836	53,850	1,574,499
26	Michigan.....	1819	Jan. 26, 1837	58,915	2,810,173
27	Florida.....	1822	Mar. 3, 1845	58,680	752,619
28	Texas.....	....	Dec. 29, 1845	265,780	3,896,542
29	Iowa.....	1838	Dec. 28, 1846	56,025	2,224,771
30	Wisconsin.....	1836	May 29, 1848	56,040	2,810,173
31	California.....	1846	Sept. 9, 1850	158,360	2,377,549
32	Minnesota.....	1849	May 11, 1858	83,365	2,075,708
33	Oregon.....	1849	Feb. 14, 1859	76,030	672,765
34	Kansas.....	1854	Jan. 29, 1861	82,080	1,690,949
35	West Virginia.....	....	June 19, 1863	24,780	1,221,119
36	Nevada.....	1861	Sept. 31, 1864	110,700	81,875
37	Nebraska.....	1854	Mar. 1, 1867	77,510	1,102,214
38	Colorado.....	1861	Aug. 1, 1876	103,925	799,024
39	North Dakota.....	1861	Nov. 3, 1889	70,795	577,656
40	South Dakota.....	1861	Nov. 3, 1889	77,650	583,888
41	Montana.....	1864	Nov. 8, 1889	146,080	376,053
42	Washington.....	1853	Nov. 11, 1889	69,180	141,990
43	Idaho.....	1863	July 3, 1890	84,800	325,594

GROWTH IN TERRITORY AND ORGANIZATION xxvii

DATE OF ORGANIZATION AS TERRITORIES, ADMISSION AS STATES, AREA, AND POPULATION
ACCORDING TO 1910 CENSUS (*Continued*)

	Name	Territory	State	Area in sq. miles	Population
44	Wyoming.....	1868	July 10, 1890	92,890	145,965
45	Utah.....	1850	Jan. 4, 1896	84,970	373,351
46	Oklahoma.....	1891	Nov. 16, 1907	70,057	1,657,155
47	New Mexico.....	1850	Jan. 6, 1912	122,460	327,396
48	Arizona.....	1863	Feb. 14, 1912	112,929	204,354
	Alaska.....	1868	.....	590,884	64,356
	Hawaii.....	1900	.....	6,449	191,907
	Porto Rico.....	1900	.....	3,606	1,118,012
	Philippines.....	1899	127,853	7,635,426
	Guam.....	1898	200	9,000
	Tutuila.....	1899	54	3,700

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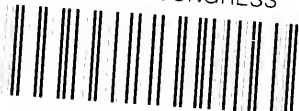
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